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# THE MATERIALITY OF GOD IN MILTON'S DE DOCTRINA CHRISTIANA

JOHN REESING
THE GEORGE WASHINGTON UNIVERSITY

DURING RECENT YEARS, scholars have been producing a great deal of important work to clarify and interpret Milton's metaphysical position, but at least one important question appears still unsettled. Does his materialistic monism embrace the whole range of being, uncreated as well as created? It certainly comprehends the whole hierarchy of creatures; does it comprehend God too?

Unfortunately Milton never explicitly says that God is either a material or an immaterial Being, so we have to work by inference from what he does explicitly say in the De Doctrina Christiana, chiefly his arguments for creation *ex Deo*.[1] Now these can be plausibly interpreted as implying either a material or an immaterial God, and both interpretations have in fact been more or less definitely proposed by scholars.[2] Certainly the doc-

[1] This paper will be concerned exclusively with the evidence of the De Doctrina because that is the work in which Milton makes his explicit, literal statement of what he believes. Paradise Lost is his imaginative representation of the Fall of Man and as such, though it incorporates much that he thinks literally true, is amplified with innumerable concrete particulars that we cannot say he would endorse as historical fact supporting his religious faith. The De Doctrina, therefore, not Paradise Lost, is the proper source for our knowledge of Milton's private, personal creed. As I see it, we can use the De Doctrina as a possible means of clarifying ideas that in Paradise Lost may seem vague, though even this has to be done cautiously; but we are on shaky ground when we try to piece out what may seem vague in the De Doctrina with the possibly more detailed and concrete amplification of Paradise Lost. — All quotations from the De Doctrina are from Book I and are given, unless otherwise noted, in Sumner's translation as reprinted in The Works of John Milton, ed. Frank Allen Patterson et al. (New York, 1931–38); references to volume and page of this edition will be given in parentheses in my text and in the footnotes.

[2] Arthur Sewell, A Study in Milton's Christian Doctrine (London, 1939), pp. 127–128, 179–181; Walter Clyde Curry, "Milton's Scale of Nature," Stanford Studies in Language and Literature, ed. Hardin Craig (Stanford, 1941), p. 192; C. S. Lewis, A Preface to Paradise Lost (London, 1942), pp. 85–88; Denis Saurat,

trine of creation *ex Deo* in itself, and the general drift of the arguments by which Milton tries to sustain it, strongly suggest materiality in God. But, for reasons I shall try to explain, much of what he says is at least not inconsistent with immateriality. The result is a most awkward uncertainty on a point obviously important for understanding Milton's thought about both God and Nature.

In this paper I want to analyze the evidence and then propose the rather paradoxical view that Milton does affirm materiality in God but that technically his position, as he states it, is not exactly heretical, at least not heretical in any simple and obvious way. First, though, I shall exhibit the ambiguity of certain statements in the De Doctrina, in order to suggest why it has been possible for eminent scholars to make contradictory interpretations.

## I

Milton has a way of taking over some of the familiar terms of traditional orthodoxy and using them in a new sense, often without explaining just what he has done and so (unintentionally no doubt) confusing interpreters, whom he leaves simply to infer his meaning. There is, though, one orthodox word — "spirit" — which at least part of the time he uses, and makes it explicitly clear that he uses, in an unconventional way. The orthodox speak of God, angels, and the human soul as "spiritual" (i.e., independent of matter in both being and operation), and Milton says similarly that God, angels, and the human soul are "spirits." He certainly thinks, however, that angels and human souls are material (XV, 23, 35, 49); so it would seem that the simplest way

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Milton Man and Thinker (rev. ed., London, 1944), pp. 94, 112–113; Albert J. Th. Eisenring, Milton's "De Doctrina Christiana," An Historical Introduction and Critical Analysis (Fribourg, 1946), pp. 131–132; James Holly Hanford, A Milton Handbook (4th ed., New York, 1946), p. 232; Walter Clyde Curry, "Milton's Chaos and Old Night, " JEGP, XLVI (1947), 49; H. J. C. Grierson, "The Metaphysics of Donne and Milton," Criticism and Creation: Essays and Addresses (London, 1949), p. 39; A. S. P. Woodhouse, "Notes on Milton's Views on the Creation: The Initial Phase," PQ, XXVIII (1949), 221–225; Walter Clyde Curry, "Milton's Dual Concept of God as Related to Creation," SP, XLVII (1950), 205, 207; William B. Hunter, Jr., "Milton's Power of Matter," JHI, XIII (1952), 558.

to test the orthodoxy of his doctrine of God would be to inquire what he means when he calls God a spirit.

In chapter vi he says that the Holy Spirit, considered as a person, is a spirit "in the same sense in which the Father and Son are properly called Spirits" (XIV, 357). Unfortunately Milton gives us no way of telling exactly what sense he means. Earlier, in chapter ii, he has said that "God considered in his most simple nature is a Spirit"; and to show "what a spirit is, or rather what it is not," he quotes Isaiah 31:3, "flesh, and not spirit," and Luke 24:39, "a spirit hath not flesh and bones" (XIV, 41). Except for the anti-trinitarian implications, however, the orthodox could say all of this; so if these statements were all we had, we might possibly conclude for God's immateriality. Or we might not. For, knowing from other passages Milton's idea of the refined, tenuous, and invisible but nonetheless material character of angels and of the human soul, we know that denial of flesh and bones (i.e., gross corporeality) to spirit does not necessarily imply, with Milton, a denial of materiality altogether. In that case we might conclude that the evidence, though it does not establish the fact of materiality in Milton's God, is not necessarily inconsistent with it. In any event, Milton's meaning through this strand of evidence remains ambiguous.[3]

A more complex problem of interpretation arises over one of his important arguments for creation *ex Deo*, but the solution proves equally indecisive for the question raised by this paper. As one of several ways he has for defending his theory of creation Milton says that God is the material cause of creatures, and the statement would seem to furnish the very strongest possible ground for holding that his God is a material Being. It will be instructive to examine both the particular argument in which

[3] From the point of view of this paper Milton's statements about God's spirituality are vague; they are not vague, I believe, with respect to the purpose Milton intended them to serve. In the paragraph of chapter ii where he says that "God considered in his most simple nature is a Spirit," what Milton is really thinking about is God's simplicity, and he is thinking about that because he believes it invalidates the trinitarian position: if God is a simple Being, how can there be three Persons in one God? Milton makes his meaning clear enough for his own purposes; apparently it does not occur to him that his use of "spirit" might need clarifying.

the statement appears, and its whole context in Book I, chapter vii, of the De Doctrina.

Milton enthusiastically endorses the great principle of Christian metaphysics, that all creatures owe their existence to God, who is Himself the absolute and infinite fulness of Being. That is, although he feels the sharpest annoyance with the technical vocabulary of metaphysics, Scholastic metaphysics especially, and although his own apprehension of God tends more in the practical direction of religious worship and obedience than toward metaphysical speculation, he believes as strongly as the professional Christian metaphysicians that no finite existents singly or together can add anything to God; the multiplication of beings cannot increase Being. And this grand conception lies behind some of the logical arguments with which he defends creation *ex Deo*.

His theory of creation — to state it very briefly — envisages three stages. First there is God. Then, out of His own substance, God brings original matter into existence as an actual substance subsisting distinct from Himself. Finally He creates, properly speaking, by exercising efficient causality in such a way as to adorn this original matter with forms and to digest it into order.[4]

[4] This summary interpretation requires elaboration and defence, which I intend to furnish in a book I am now writing on Milton's philosophical view of Nature. Some crucial items of evidence and implication may be noted here. (1) That original matter was actually a substance Milton explicitly tells us (XV, 23). (2) In the Aristotelian tradition prime matter, which is pure potentiality, is prior to creation only in the order of cause, not in the order of time. Milton thinks the original matter was also prior in the order of time, and existed as a substance *distinct from God's substance*. The evidence for this is quite clear: original matter "originated from God at some particular point of time" ("aliquando ex Deo": XV, 18–19), and "though at first confused and formless," it was "afterwards adorned and digested into order by the hand of God" ("indigesta modo et incomposita, quam Deus postea digessit et ornavit": XV, 22–23). The conferring of form upon the already subsistent but formless original matter, and the digesting of this into order, are precisely what Milton understands by "creation." (3) It follows from the preceding that Milton is not a pantheist. Original matter, which passively submits to God's creative efficiency, is itself already a substance distinct from God; hence the creatures, when God brings them into existence, will subsist independent of His substance. Other items in the De Doctrina furnish quite demonstrative evidence that Milton is no pantheist. When he distinguishes between God and heaven as a created place (XV, 31), when he speaks of matter as "having proceeded from God, and become in the power of another party" (XV, 25), and when he says that the human spirit "has no participation in the divine nature, but is purely human" (XV, 227), he is plainly thinking of a real, actual, substantial distinction between God and other beings. Besides, no man is a

The second of the three stages is the crucial one. The simple and obvious hypothesis would be that it is a material God whom Milton conceives as producing original matter out of His own substance. But, difficult as the idea surely is, we can at the start recognize the theoretical possibility of an immaterial God so producing original matter. Milton does not explicitly rule out this possibility, so that his theory of creation really leaves two contrary hypotheses available. What we need is some clear and definite evidence one way or the other about the nature of God's substance as Milton understands it, and the argument that he constructs from an analysis of God's causality seems at first to give just what we require. It goes as follows.

Since God is "the primary, and absolute, and sole cause of all things," He must comprehend within Himself all the kinds of cause there are; therefore He is the material cause of creatures, as well as their formal, efficient, and final cause. Unless all the four causes operate, a possible thing cannot come into existence.[5] It is therefore not enough to say, with the orthodox, that God is the efficient and final cause of creatures, for then "all things must have had two causes only, and those external"; there must also be the two internal causes, the material and the formal. But God must have been those causes too; otherwise He "will not have been the perfect and absolute cause of every thing" (XV, 21).

A leap in the reasoning makes this evidence useless for our purpose. Into the argument he has built up from familiar, traditional terms and concepts Milton introduces a radical change, and that in the very statement which looks like the evidence we need. In the traditional analysis all four causes are understood to operate with equal directness, and the verbal statements of the four causal relations are all affirmed with identical literalness. God *qua* God is the efficient and final cause of a creature; matter and form, as such, are the material and formal causes. Milton

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pantheist who writes two long and learned chapters for his "best and richest possession" (XIV, 9) trying to prove with every scrap of evidence he can lay his hands on that those two creatures, the Son and the Holy Spirit, are emphatically not of one substance with the Father.

[5] Cf. Milton's Art of Logic (XI, 33).

keeps the first proposition intact: in the same direct and literal sense that the statement had always been used to affirm, his God is, *qua* God, the efficient and final cause. But his peculiar theory of creation makes it impossible to understand him in the same literal sense when he goes on to say that God is also the material and formal cause. For according to that theory it is actually not God but original matter which directly and literally operates as material cause. We can see what Milton has done. Intent upon proving that God is the "absolute, and sole cause of all things," Milton thinks at this point about God's production of original matter out of His own substance and believes he sees there a basis for affirming what he wants to affirm, that God is the material and formal cause of creatures. Necessarily, though, his statement must be taken in an indirect and once-removed sense; he cannot be speaking with the same literalness he has in mind when he takes over without change the traditional proposition 'God *qua* God is the efficient and final cause.'

After all, then, the argument that seemed to promise so much leaves us just where we were. We need to know what kind of God produced original matter; Milton says that God is the material cause of creatures. Although the statement seems to imply the answer, it is really not to the point of our question. God can be the material cause only in the indirect sense that the original matter which He used as the actual material cause was produced at the first from His own substance. About the materiality or immateriality of the divine substance itself Milton has really said nothing at all, and we are therefore still left with the theoretical possibility that it may be immaterial.

## II

The same is true of almost everything that immediately follows. Milton gives another argument for creation *ex Deo* (XV, 21–23), then goes on to answer possible objections to his theory (XV, 23–27); and nearly all of the discussion can refer indifferently to an immaterial or a material God. It is not until he has almost finished the discussion that he introduces the two arguments from which, as I believe, we really can settle the question.

In the first one Milton says, "It is objected . . . that body cannot emanate from spirit. I reply, much less then can body emanate from nothing. For spirit being the more excellent substance, virtually and eminently contains within itself the inferior one; as the spiritual and rational faculty contains the corporeal, that is, the sentient and vegetative faculty" (XV, 25).[6] The word "emanate" certainly suggests pantheism, and the argument itself is introduced to support creation *ex Deo* — these are the obvious objections to the orthodoxy of the statement, but they can be answered. Milton is not a pantheist; [7] and, as has already been shown, he states his doctrine of creation *ex Deo* in a way that does not necessarily imply (though of course it suggests) materiality in God. Nevertheless, that Milton really is affirming corporeality (and therefore materiality) in God we may see by analyzing his way of using certain terms that he has borrowed from orthodox Scholasticism.

"Virtually" and "eminently" are words the Scholastics used in order to affirm analogically (not univocally) that God possesses in an eminent or higher mode all the perfections which in a finite way creatures can possess. God has them first, or rather He simply *is* all the perfections we see reflected in the world, and more. Thus He is the ground and original of the finite, contracted, piecemeal perfections in the world, which are only imitations of His simple perfection. We might put this notion colloquially by saying that God "contains" all creatures in the sense that He "thought of" them, conceived the "idea" of them. More philosophically, we may say that God, being in Himself absolutely simple, knows Himself perfectly, and that His self-knowledge means (among other things) that He knows Himself as imitable in various finite determinations, for every one of which He is the eminent and exemplary cause. Behind this whole conception lies the thought of substantial form as that which, to the degree that it informs and therefore actualizes a certain matter, gives each creature its proper perfection. Thus the colloquial state-

[6] Sumner's translation except for the phrase "virtually and eminently," which he incorrectly rendered "virtually and essentially" (for Milton's "virtualiter . . . et eminenter"). Professor Walter Clyde Curry presented this very important correction in "Milton's Dual Concept of God as Related to Creation," p. 200.

[7] See n. 4 above.

ment 'God thought of all creatures and in that way contains them' translates into the technically precise analogical proposition 'God eminently contains the perfections of creatures'; and in both statements what we have our eye on is *form* as the internal source of creaturely perfection.

Now it is obviously possible to say, further, that God "thought of" matter. That statement too is unexceptionably orthodox, but it is not an analogical proposition and it therefore cannot be translated as 'God eminently contains matter.' For since matter as such is formless, since it is pure potentiality, it is not a perfection, hence not anything that *can* be eminently contained in God, who as pure act is necessarily free from all potentiality. Thus no orthodox Scholastic philosopher or theologian could say that God virtually and eminently contains matter.

We are now in a position to see exactly what Milton has done with the language and the concept he has borrowed from traditional orthodoxy. He does use language as no orthodox Scholastic could use it, saying that "spirit being the more excellent substance, virtually and eminently contains within itself the inferior one." On the other hand, he is not thinking of matter in the Scholastic way. He does say indeed that matter "is only a passive principle" (XV, 19), and we shall have to return to the idea before we finish. For the present, though, we may note that what Milton concentrates on is the passivity of original matter *considered as an actual substance*, its capacity as such for passively receiving God's efficient causality. Indeed, far from representing original matter as pure potentiality,[8] Milton insists that it did, though formless, actually subsist as a distinct substance; it therefore could have, and did have, its own proper perfection (XV, 23). Hence Milton's "original matter" must not be identified with the "prime matter" of the Aristotelian tradition. Although original matter is like prime matter in that it cannot be properly spoken of as a *creature*,[9] it has far less in common with prime matter than it has with all the creatures as they are under-

[8] Milton knows, or at least at one time had known, the Scholastic definition of prime matter as pure potentiality, as the fourth Prolusion shows (XII, 187); but in the De Doctrina he makes no explicit use of it.

[9] See n. 4 above.

stood by the Scholastics — that is, as subsistent beings with specific finite perfections, for which the exemplar is God. When, therefore, Milton indicates that God virtually and eminently contains matter, he is stating a proposition of precisely the same order as orthodox Scholastics state when they affirm analogically that God possesses intelligence and beauty and power. The proposition 'spirit virtually and eminently contains body,' taken in the context of Milton's thought about original matter,[10] is a genuine analogical proposition. Therefore his language necessarily means that God really contains something analogous to that "perfection" in material creatures which we call corporeality. God's mode of containing corporeality is, to be sure, virtual not formal, but Milton's analogical predication means that he is affirming corporeality as a real and positive perfection eminently present in God.

This particular argument, appearing as it does fairly late in Milton's discussion of creation *ex Deo*, is yet the first clear and definite evidence he furnishes that he really is thinking of God as material. Even so, if it were all we had on the subject, I should not feel disposed to argue with very much assurance that he certainly believes in God's materiality. For it might be said in reply that his excursion into metaphysics has accidentally tripped him up, that his error is merely verbal, that in using technical terms which are no part of his ordinary vocabulary [11] he has been misled into saying what he does not actually mean. Such a defense might command very considerable respect because truly Milton does not use metaphysical terms with any great subtlety. Just at this point, though, we have a bit of luck. He goes on at once to another argument; and what he does in the course of *that* one makes it all but certain, I believe, that he does indeed think of God as material. In other words, he really does mean, as he certainly does say, that corporeality is eminently, and therefore genuinely, present in God.

The new argument goes as follows:

For not even divine virtue and efficiency could produce bodies out

[10] And regardless of whether at this point Milton's idea of "spirit" involves the orthodox conception of immateriality, or whether by "spirit" he means here (as he certainly means when he speaks of the human spirit) "material form."

[11] "Virtualiter, quod aiunt, et eminenter" (XV, 24).

> of nothing, according to the commonly received opinion, unless there had been some bodily power in the substance of God; since no one can give to another what he does not himself possess. Nor did St. Paul hesitate to attribute to God something corporeal; Col. ii. 9. "in him dwelleth all the fulness of the Godhead bodily" (XV, 25).

In the first sentence Milton is trying to meet the orthodox on their own ground. Possibly they might even accept it verbally, for creation *ex nihilo* really does presuppose some corporeal power in God in the sense that God, if He is to create bodies, obviously must possess the power to create them.[12] But the orthodox could never accept what Milton actually means — that God, since He possesses some bodily power, must therefore Himself *be* a bodily substance. Such, in Milton's judgment, is the meaning of the assumption that even the orthodox must make to get their own doctrine to work. And that this really is what Milton means appears practically certain from his next sentence, in which he cites positive evidence from the New Testament to confirm the point he has just reached by logic: St. Paul himself acknowledged some corporeal power in God when he wrote that "in him dwelleth all the fulness of the Godhead bodily."

Of course St. Paul did nothing of the kind. From verse 5 through the first part of verse 12 he is talking about Christ, not about God the Father. And the point is that Milton himself, when he has another heresy to argue, sees very clearly about which Person St. Paul is talking in Colossians 2:9. In chapter v, when Milton is trying to prove the Son's inferiority to the Father, he quotes the same text (and several others). His comment there says nothing about God's corporeality, but it does plainly indicate Milton's recognition that it is Christ who is being discussed: "These passages most clearly evince that Christ has received his fulness from God, in the sense in which we shall receive our fulness from Christ. For the term 'bodily,' which is subjoined, either means 'substantially,' in opposition to the 'vain deceit' mentioned in the preceding verse, or is of no weight in proving that Christ is of the same essence with God" (XIV, 339). And

[12] Perhaps it should be noted that a statement like this is not intended to suggest potentiality (in the Aristotelian sense) in God.

that this is his usual interpretation of Colossians 2:9 Milton would appear to confirm in chapter xiv, where he quotes it again and comments thus: "which passage I understand, not of the divine nature of Christ, but of the entire virtue of the Father, and the full completion of his promises (for so I would interpret the word, rather than 'fulness'), dwelling in, not hypostatically united with, Christ's human nature; and this 'bodily,' that is, not in ceremonies and the rudiments of the world, but really and substantially" (XV, 261).

Now it is most unlikely that Milton in chapter vii would have applied Colossians 2:9 in a manner so obviously irrelevant and so plainly contradictory of the interpretations he gives it in chapters v and xiv — unless in chapter vii he was actually thinking of God as corporeal. Not merely possessed of "some corporeal power" — the orthodox themselves can say as much — but Himself a corporeal, material Being. There is no need to imagine that Milton is dishonest; he is only impetuous, and impetuous in a way instructive to us. Firmly convinced that the Bible teaches God's corporeality, and with no thought for anything but the immediate purpose of defending his point, Milton seizes upon Colossians 2:9 as explicit and authoritative proof, and so gives us probably the clearest and most convincing single bit of evidence we have that he thinks of God as in some sense material.

## III

Milton believes, then, that materiality is involved even in that transcendent mode in which God exists in glory unapproachable. We naturally want to know more; but speculation about the details of his conception, though fascinating, cannot take us very far because Milton himself has spoken so reticently.

How does he think that God has corporeality? Not, certainly, in the sense that we have gross bodies, and not even in the sense that the fire and the light of the mundane universe are bodies. Still, he loves St. Paul's statement that God dwells "in the light which no man can approach unto" (1 Tim. 6:16) and in the De

Doctrina quotes or refers to it four times.[13] Does he, then, believe that God *is* light? Well, St. John said He is, in some sense (1 John 1:5); and if Milton agrees, the light that he identifies with God is not the light of our mundane universe, for more than once he significantly comments on God's invisibility (XIV, 251, 265, 337–339). Yet, since everything has been made from God's substance, we can hardly deny all continuity between the light we know and the light that is God. But if He is some transcendent and unimaginable brightness and in that sense has a body, what shall we say of His extension? Here speculation must stop; for Milton really gives us nothing to go on, and perhaps he would say that such questions are idle. In chapter ii, under the attributes of Immensity and Infinity, he simply quotes three texts from the Old Testament, adding not a word of comment (XIV, 43). Of God's omnipresence he says, very simply, that it "is the consequence of his infinity." Then after quoting four texts (three Old Testament, one New), he immediately ends the brief paragraph with this chastening reminder: "Our thoughts of the omnipresence of God, whatever may be the nature of the attribute, should be such as appear most suitable to the reverence due to the Deity" (XIV, 47).

This, I suggest, is about all that can be said in an attempt to exhibit the positive content of Milton's conception. It only remains to evaluate the thought, and we may note first that Milton does not consciously direct his idea of God's materiality against any aspect of the truth about God that orthodox Christians are really committed to maintain. He does get into logical difficulties. The orthodox doctrine of God's simplicity necessarily implies His immateriality because if God were corporeal He would be composite, the opposite of simple. Therefore Milton clearly contradicts himself when he ascribes corporeality to God because he has already said in chapter ii that God's essence is "in itself most simple" (XIV, 41). The point, though, is just that Milton is accidentally guilty of logically contradicting himself, not deliberately guilty of contradicting orthodoxy.

Again, the doctrine of creation *ex nihilo* is the orthodox way of

[13] Harris Francis Fletcher, The Use of the Bible in Milton's Prose, Univ. of Ill. Stud. in Lang. and Lit., XIV (Urbana, 1929), 162.

denying dualism, which Milton equally denies (XV, 19–21). He makes a different defense against it, though — his doctrine of creation *ex Deo*, which leads him to affirm materiality in God. Now orthodox Christians believe, quite as firmly as Milton, that matter is good. Thus it is no Manichaean abhorrence of matter as essentially evil which leads them to deny materiality in God; they deny it rather because for them matter is pure potentiality, so that if God were material He would be mutable. If Milton, in calling matter "only a passive principle" (XV, 19), means that it is pure potentiality, he does ascribe potentiality to God. He does not intend to, however; much earlier, in chapter ii, he has explicitly and orthodoxly affirmed that God is immutable (XIV, 47). And, though his conception of matter apparently does (or at least may) on one side involve potentiality, on the other it involves just the opposite — actuality, substantiality; and that is the side on which he chiefly concentrates. To that extent, then, to the extent that he thinks of matter not as pure potentiality but as a substance, actual and subsistent and in its degree perfect, we must say that he does not affirm potentiality in God even verbally, much less substantively. In other words his doctrine of God's materiality, seen from this side, does not contradict the orthodox doctrine of God's immateriality; the two doctrines do not even converge, and therefore Milton's does not convict him of heretically maintaining that God changes.[14]

[14] For all that, potentiality really is implied in Milton's doctrine of God, though it can be more decisively inferred from other premises: if what was God's substance has become (note the word one has to use) the substance of something that is not God, then God Himself has undergone some real change. — Perhaps I may add that Milton's rejection of the formula *actus purus* (ch. ii: XIV, 49) seems to me an inappropriate basis for inferring potentiality in his God. In rejecting Aristotle's formula he is not rejecting what Aristotle meant by it. For Aristotle, *actus purus* has reference to God's internal constitution, what He is in Himself without regard to any external beings whatever. It denotes the fulness and perfection of God's actuality, and therefore the impossibility of any change, increase, or diminution in His own Being. Every existent, whether God or anything else, is able to operate externally with causal efficiency in precisely the measure to which it is in act; but Milton thinks the formula *actus purus* expresses a limitation, rather than the necessary condition, of efficient causality. Along with the orthodox he insists that God's external actions with regard to created, ontologically contingent, beings are absolutely free; unlike the orthodox he thinks that if God were *actus purus* His freedom of action would be inhibited. In other words, Milton thinks the proper occasion to criticize the formula comes when he is discussing God's freedom. It would perhaps be going too far to assert that he

It appears, then, that Milton can be proved more than half innocent, so to speak, of the specific heresy involved in calling God a material Being. But if so, it may be asked whether we have not rescued him from one kind of trouble only to land him in another, whether with respect to his doctrine of God's materiality he escapes being a heretic only because he has failed to say anything to the point about matter. He is obviously inconsistent. Given the terms he chooses to work with, a formless substance (which is what he thinks original matter was) is not really conceivable.[15] Behind the orthodox doctrine of God's immateriality lies an exhaustive analysis of the metaphysical nature of corporeal (therefore changing) being; and it may be objected that Milton's analysis purports to be exhaustive but is not. He is trying to have things both ways, to think of matter as at one and the same time both an actual substance (i.e., regardless of what he *says*, a formally determined entity) and the mere potentiality for determination. Thus, contradictorily, he telescopes into one what the traditional analysis keeps rigorously distinct, primary matter and secondary matter; and in effect, by his emphasis on the substantiality of original matter, he identifies it with secondary matter. He thereby empties his theory of any usable provision for pure potentiality and hence leaves himself powerless to explain change in corporeal creatures. I should conclude therefore that his doctrine of materiality in God, though of course from one angle it does seem to imply potentiality in Him, is on the whole a position not so much theologically heretical as logically contradictory and philosophically inadequate.

However one may judge the intellectual quality of Milton's thought on this point, his motive and attitude are unmistakable. He intends to be a logical, honest, devout Christian; and when on occasion he strays into heresy (or, as here, into what might be called pseudo-heresy), he does so, like heretics generally,

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simply misunderstands the formula, but he does misapply it. Therefore his rejection of it seems to me a dubiously valid reason for inferring potentiality in his God — although on other grounds, as I have said, that corollary can be deduced from his theory.

[15] A main source of Milton's trouble, no doubt, is his attempt to make the "mythological" language of Genesis 1:2 ("And the earth was without form, and void") serve directly, without translation, as the technical language of theology.

out of zeal for Christian truth. Indeed he rejoices to ascribe materiality to God because he thinks that in doing so he is exalting God's majesty and avoiding those limitations of God's infinite perfection which he finds in the orthodox doctrine of creation. He thinks the orthodox detract from God's majesty when they allow only His efficient and final causality toward creatures; *his* God will be so much the greater for comprehending all the causes, including the material. That God receives no accession when He makes creatures is a vital principle, as all Christians agree. Only, Milton adds, the orthodox are wrong to suppose that they can protect it by affirming creation *ex nihilo*; he will insure that in his system the multiplication of beings will not increase Being by postulating that they were to start with all in God. One may or may not feel that he treats the metaphysical problems as adequately as orthodox thinkers. He is one with them, however, so far as his idea of God's moral quality is concerned; and if it were possible to exhibit Him as brighter and purer, more righteous and holy and adorable, than the orthodox had done, Milton would do his best to find the way.

# THE BAPTISM OF JOHN AND THE QUMRAN COMMUNITY

## Testing a Hypothesis

JOHN A. T. ROBINSON
Clare College, Cambridge University

That there was, as has been suggested,[1] an actual historical connection between John the Baptist and the Qumran Community is, and must at present remain, a hypothesis. The similarities to be found between them do not in any case depend upon this link being established. But I believe it to be one of those hypotheses which, once made, lead to further connections and open up new and significant possibilities. It is therefore important to test it. And where direct historical confirmation fails, the only way to test a hypothesis is to push it to its limits and see how much of the evidence it can in fact explain. And to push it beyond its limits is not necessarily a fault: on the contrary, it is likely to be the best way of discovering where those limits lie.

According to the Lukan account, which there is no *a priori* reason for dismissing, John was born of aging parents into a priestly family in the hill-country of Judaea and received his upbringing in the wilderness (Luke i, 5–80).[2] We next find him not, as we should expect, exercising his priestly office, like his father

[1] E.g., by W. H. Brownlee, "John the Baptist in the New Light of Ancient Scrolls," Interpretation IX (1955), pp. 71–90 (cf. his earlier article "A Comparison of the Covenanters of the Dead Sea Scrolls with Pre-Christian Jewish Sects," The Biblical Archaeologist XIII (1950), pp. 70–72; by Bo Reicke, "Nytt ljus över Johannes döparens förkunnelse," Religion och Bibel XI (1952), pp. 5–18; by A. S. Geyser, "The Youth of John the Baptist. A deduction from the break in the parallel account of the Lucan infancy story," Novum Testamentum I (1956), pp. 70–75; by E. Stauffer, "Probleme der Priestertradition," Theologische Literaturzeitung LXXXI (1956), col. 143 f.; and, tentatively, by J. M. Allegro, The Dead Sea Scrolls, pp. 163–165.

I am particularly indebted to the first of these articles and to valuable help and criticism from Dr. R. P. Casey, Mr. H. W. Montefiore, and Mr. P. S. Watson.

[2] This is not to deny that the Lukan birth narratives may be heavily overlaid with legendary and apologetic material. But they bear all the marks of a primitive Palestinian milieu, reflecting faithfully the unsophisticated piety of the circles in which they took shape. As both M. Goguel (Jean Baptiste, p. 70) and C. Kraeling (John the Baptist, p. 23) admit, it is difficult to see what motive these circles should have had in making John the son of an obscure country priest if he was not. Cf. Stauffer, op. cit., col. 143.

before him, in the Temple but living as an ascetic prophet, preaching and administering a baptism of repentance in the Jordan valley. What has happened to produce this strange effect?

The hypothesis, which at any rate does violence to none of the facts, is that John was sent (on the death, perhaps, of his parents?) to be reared in the desert discipline of the Qumran community. This community had, as we know, considerable following among priestly families (which provided at least one for every ten or more of its members; 1QS vi, 3; 1QSa ii, 22; CDC xv, 5),[3] and it appears more likely to have drawn this, not from the Sadducaic priesthood it anathematized, but from those rural circles whose ideals of piety, as represented in the Lukan birth-narratives, are the closest approximation to those of Qumran to be found in the New Testament. It would, moreover, explain why he should come to have severed his connection with the Temple cult and found himself fiercely opposed both to and by the Jerusalem priesthood (Matthew iii, 7 = Luke iii, 7; Mark xi, 27–33 and pars; Matthew xxi, 32; cf. John i, 19).

This community was situated at no great distance from John's home, and nearer still to his point of re-emergence in the wilderness of Judaea (Matthew iii, 1). Provision is made in the additional columns to its Manual of Discipline,[4] for the training of those who come for instruction as children and for their assimilation by stages as adult members (1QSa i, 4–18). And if, as I believe to be overwhelmingly probable, this community was Essene in character, then we have the testimony of Josephus (Bell. Jud. ii, § 120) that the practice of adoption was a customary one: "They adopt other men's children, while yet pliable and docile, and regard them as their kin and mould them in accordance with their own principles." [5]

[3] The nomenclature followed is that set out by R. de Vaux, Revue Biblique LX (1953), pp. 87 f:
1QS The Manual of Discipline.
1QSa The additional two columns associated with this.
1QM The War between the Children of Darkness and the Children of Light.
1QH The Psalms of Thanksgiving.
CDC The Damascus Document or Zadokite Fragment.

[4] 1QSa, published in Discoveries in the Judaean Desert (ed. D. Barthélemy, O. P. and J. T. Milik) I, pp. 108–18.

[5] This is said specifically of the non-marrying Essenes but, though it was ob-

Now it is equally clear that when John re-emerges into history he is *not* a member of the Qumran or any other community. In some way or other he has by then broken any connection he may have had with them. He is an individual prophet, who, though he gathered disciples and gave them a discipline of prayer (Luke xi, 1; v, 33) and fasting (Mark ii, 18 and pars),[6] appears to have made no attempt to initiate them into any kind of order. In all that follows it must never be forgotten that John is a highly individual figure, whom neither Josephus nor anyone in the Gospels ever associates with any other group. Whatever he may have received from his association, if there was one, with Qumran, he remoulded into something quite distinctive and independent.

But when this has been said, there are many points in his teaching and ministry which are illuminated by the supposition of some such connection.

However much he may have broken with the Community, he did not break with the desert and with the stress on asceticism, purification and separation from the evils of civilization which marked its discipline. Indeed, the great difference between John and Jesus lay in the fact that John remained in the desert and that men must come out to him: he refused to go to them, to eat and drink with the rest, or to mix with publicans and sinners. And his location in the desert was no accident. In fact, the very *raison d'être* of John's mission appears to have been grounded in the words of Isaiah xl, 3: "A voice cries: 'In the wilderness prepare the way of the Lord, make straight in the desert a highway for our God.' " This text is associated with him in all our Gospels (Mark i, 3; Matthew iii, 3; Luke iii, 4; John i, 23), and the most natural explanation of the connection would seem to be, as the Fourth Evangelist says, that it was used by the Baptist himself.[7]

Now in the use of this text we have our first direct, rather than

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viously more necessary for them, there are no grounds for denying the practice to those who allowed marriage.

[6] There is nothing actually to suggest that John's disciples had any different regimen of fasting from other Jews. But it is at least conceivable that among the fruits John deemed worthy of repentance should have been counted an asceticism comparable with that for which he himself was known (Matthew xi, 18=Luke vii, 33).

[7] So also Reicke, op. cit., p. 14.

purely circumstantial, evidence of a parallel between the Baptist and the covenanters of Qumran. For according to the Manual of Discipline they also used it to describe and justify what they aimed to do: "Now when these things come to pass in Israel to the Community, according to these rules, they will separate themselves from the midst of the session (or habitation) of perverse men to go to the wilderness to clear there the way of (the Lord), as it is written:

> In the wilderness clear the way of (the Lord);
> Level in the desert a highway for our God:

That (means) studying the Torah (which) He commanded through Moses, so as to do according to all that was revealed time after time and according to that which the prophets revealed through His Holy Spirit." [8]

Now, at first sight, it looks as if this is a description of the present life of the Community. For they are out in the desert, they are separate, and they are engaged in studying the Law (cf. 1QS v, 1f.). Certainly there is no doubt that it represents an ideal which they are already seeking to practise and by constant purification aiming to perfect. But it must not be overlooked that the passage opens with the words, "Now when these things come to pass in Israel," a formula used twice again in neighboring passages (viii, 4 and ix, 3), and in the other two instances evidently indicating a future and eschatological stage which has not yet been reached. The conception in these three passages appears to be that by its present life and discipline, and by means of an inner group dedicated to perfection, a time will come when the Community as a whole will stand forth, stripped and purified of every contamination, to be the chosen instrument of Jahweh's atoning work and judgment. *Then*, it seems, this wholly purified remnant will complete its separation from the world and every contact with evil (cf. ix, 6) by marching out into the desert, ready for anything Jahweh may require of it (presumably, to judge from the War Scroll, for the final conflict with the sons of

[8] 1QS viii, 12–16. Tr. W. H. Brownlee, Bulletin of the American Schools of Oriental Research, Supplementary Studies, 10–12 (1951).

darkness),[9] and prepared for the coming of the Prophet and the Messiahs of Aaron and Israel (1QS ix, 11).

This interpretation, though it cannot be regarded as more than probable, is, I believe, supported by the only other reference to this moment of clearing a way in the desert — an exceedingly obscure allusion in 1QS ix, 20. In the context (ix, 12–24) it is made clear that in this present time the life of purification and perfection has still to be lived to a great extent "in the midst of men of perversity." But the ultimate purpose of all the teaching, instruction and discipline of the sect is to perfect a group which "may walk perfectly each with his fellow in all that was revealed for them." And "*that is the time* of clearing the way of the wilderness," i.e., when the perfect community is prepared and they are ready finally to go out from the world all together ("to separate from everyone") to meet the Messianic age — a conception which may be reflected and rejected in the Gospels: "If they say to you, 'Lo, he is in the wilderness,' do not go out" (Matthew xxiv, 26).

Now, if we are right in stressing the eschatological context of this final withdrawal to the wilderness, then we *may* have the clue to why John went out from the Community. On this showing, he leaves the relative civilization and *corpus permixtum* even of Qumran because he becomes convinced, under the constraint of the word of God (Luke iii, 2), that this eschatological moment is in fact nearer even than they believed: the axe is even now poised at the root of the trees (Matthew iii, 10 = Luke iii, 9). And so he deliberately goes out into the wilderness to prepare the way of Jahweh in the desert, to announce the imminent coming of the Prophet, and to gather the faithful of Israel for a final dedication to their God.

This he does by summoning the people to a baptism of repentance. So characteristic is this rite that it becomes inseparable from his very name. For Josephus (Antt. XVIII, 5, 2 (§ 116)), as for the Synoptists, he is John 'the Baptist' (Matthew iii, 1, etc.) or 'the Baptizer' (Mark vi, 14, etc.). The mere fact that it thus marked him out from others suggests that it was the most distinctive feature of his ministry. But even the most original and creative contributions do not drop from the blue and the very

[9] Cf. 1QM vii, 5: "They shall all be volunteers for war, blameless in spirit and flesh, and ready for the day of vengeance."

success of his mission, attested again both by Josephus and the Gospels, bespeaks an environment where such a rite was immediately understood and accepted.

The evidence amassed by J. Thomas in his book, Le mouvement Baptiste en Palestine et Syrie,[10] makes it clear that at the turn of the era such an environment did exist. Baptism was very much 'in the air' — alike in the sects and in the great Church, where in the course of the first century A.D. it came to assume a natural place in initiation both in Judaism and in Christianity. And yet, for all this, no really satisfactory explanation of John's activity has hitherto been found.

Attempts to derive it from proselyte baptism [11] or from the regular ablutions of Jewish worship [12] do not appear to allow sufficiently for the distinction between ritual impurity and sin. There is no evidence in orthodox Judaism that lustration, whether in proselyte baptism or elsewhere, was regarded as having power to deal with the latter, which was the function of sacrifice. One of the conclusions that emerges from Thomas' study is the tendency in the baptist sects to regard ablutions as taking the place or possessing the spiritual efficacy of sacrifice. Only when this assumption is made (as it appears to have been made at Qumran, but was certainly not in proselyte baptism), can one begin to account for the idea of baptism for the remission of sins.

The hypothesis that John was adapting to his own distinctive mission conceptions and practices which he had learnt at Qumran does, I believe, go further than any other to explain his peculiar activity in the Jordan valley.

[10] Gembloux, 1935.

[11] There is a tendency among recent writers (cf. Kraeling, op. cit., p. 204, n. 14) to reject proselyte baptism as a source for John's baptism, whatever may have been its influence upon later Christian practice. It is in any case extremely doubtful whether it can be established as existing at that date. Thomas concludes a very careful examination of the evidence with the words, "The baptism of proselytes is attested at the end of the first century A.D. It is possible that one could admit its existence from the beginning of the century. But there is little probability that it was universally accepted so soon and above all that it constituted a practice clearly distinct from ordinary baths of purification" (op. cit., pp. 365 f.). Cf., most recently, T. M. Taylor, "The Beginnings of Jewish Proselyte Baptism," N. T. Studies II (1956), pp. 193–198, who reaches a similar conclusion.

[12] N. A. Dahl, "The Origin of Baptism," in Interpretationes ad Vetus Testamentum pertinentes Sigmundo Mowinckel septuagenario missae. Norsk theologisk tidsskrift LVI, 1–2 (1955).

But first, it is important once more to emphasize the distinctive character of John's action. As their buildings and their documents testify, the covenanters of Qumran centered their entire life in rites of moral purification. Nevertheless, we look in vain in their writings for the equivalent of a single baptism of repentance for the remission of sins. Corresponding, no doubt, to the different eschatological situation in which he saw himself standing, John was calling the people to something for which Qumran offered no parallel. His summons was not to a community life marked henceforth by constant rites of cleansing, but to a final purification of the nation against the imminent coming of the mighty one. There is a difference here that must not be obscured and which resulted in John's giving to the rite of baptism an isolation and a prominence which made him unique.

But, having said this, we must be careful not to exaggerate the difference from one of degree to one of kind. To those brought up in the Christian tradition there is indeed a decisive distinction between the single, once and for all, act of baptism and constantly repeated rites of ablution. And it is easy to read back the whole of this difference into the baptism of John.

But the Christian distinction rests upon two factors which have no relevance to John's baptism. The *theological* emphasis upon the unrepeatability of baptism, so important in the Christian tradition, derives, as the Epistle to the Hebrews makes clear (vi, 4–6), from the uniqueness of the Christ-event into which Christian baptism incorporates. But prior to the idea of a once and for all revelation, there is no evidence that any stress was laid on the unrepeatability of baptism, and there is in fact nothing actually to say that John's baptism was of this exclusive nature.

The other factor that in Christianity has isolated baptism as a unique event is its abandonment of the regular lustrations of Judaism, along with its food-laws and sacrifices. This repudiation goes back to Jesus' revolutionary disavowal of external washings as possessing any religious efficacy (Mark vii, 1–15; Matthew xv, 1–11), and it is something that Mark, in one of his rare editorial comments, evidently regards as a distinctive characteristic of Christianity in contrast with the constant *βαπτισμοί* of "all the Jews" (vii, 3 f.). Here, as in the closely connected matter of

fasting (Mark ii, 18), the disciples of John were without doubt at one with the Pharisees. According, at any rate, to the Fourth Gospel, they were sufficiently involved in rites of purification to enter into controversy about them (John iii, 25). And there is, in fact, every presumption that John's baptism did not stand alone, but was combined with other ablutions at least as frequent as those of the Pharisees. Certainly, in the closest parallel in all the baptist movement to the activity of John, the preaching by Elkasai in A.D. 100 of a sovereign baptism for the remission of sins,[13] the rite itself (which was sufficiently decisive to be described, for Christians, as 'a second baptism') was supplemented by innumerable other baths of cleansing and healing.[14]

In admitting, therefore, a real difference of emphasis, it is important not to magnify it to a point of principle. For no such principle existed. Βάπτισμα and βαπτισμοί flowed into each other as naturally as the ever-running streams that supplied their constant source. None of the baptist sects appears to have had an initiatory rite which was never repeated again. Any decisiveness attaching to the first immersion lay rather in the repudiation it represented of the past than in the fact that it could not be renewed in the future. But *in this sense* the community of Qumran does appear to have seen baptism as representing a decisive break for the individual, such as John could well have adapted as the basis of his call to repentance. For in 1QS v, 8 and 13 to "enter the covenant" (or the Community) and to "enter into water" should probably be read as parallel expressions (cf. iii, 4–12). The solemn moment when a man was "brought into the covenant, to turn from the truth and to turn away from all perversity" (vi, 14 f.) was also that of his first entry into the water. And it would indeed be very strange if, with all their stress on water for purification, the covenanters had not used it to mark the initial break with the corrupt world.

If, therefore, John did modify the practice of Qumran, it was to give new emphasis to one element in it rather than to introduce any radical change. Indeed, the very fact that he was not gather-

[13] The phrasing preserved by Hippolytus (Refut. IX, 13, 4) is strikingly similar: βαπτίσματι λαμβάνειν ἄφεσιν ἁμαρτιῶν.

[14] Cf. Thomas, op. cit., pp. 140–149.

ing a community, but sending men back, as Israelites purified for coming judgment, to their ordinary occupations, must in itself have concentrated all the stress upon the single decisive immersion.

But the really interesting connections are to be found not so much in the actual rite itself as in the meaning attaching to it. It is here that the parallels with the Qumran community begin to be significant. Like John's, their washing was performed with strong insistence on the need for prior repentance (v, 13 f.; cf. i, 24 f.): [15] there was no escaping the wrath to come by mere external ablution (iii, 3–12). Again, unlike proselyte baptism, it was administered to those who were already Jews — to mark them out as belonging to the true and purified Israel. For them, as for John (Matthew iii, 9; Luke iii, 8), the true People of God was not to be built simply on the basis of racial inheritance. That this was the motive in John's preaching and baptism — to create a pure and penitent nucleus in Israel [16] — seems more likely than the explanation to which a parallel with proselyte baptism would force us, namely, that John was implying that all Jews were before God in the position of Gentiles.

These parallels are further confirmed by the baptism which both John and the Qumran covenanters envisaged as still to come, and of which there is no suggestion in the rite of proselyte baptism, *or in any other of the baptist sects.* For John, his baptism with water is but a preliminary purification, cleansing and marking out the true children of God for the day of that future, eschatological baptism to be administered by the one coming after him. When he, the mightier one, comes, he will baptize — with what? According to Mark (i, 8), John (i, 33) and Acts (i, 5; xi, 16) with 'holy Spirit'; according to Matthew (iii, 11) and Luke (iii, 16), with 'holy Spirit and fire.' Many critics have been reluctant to believe that John spoke of holy

[15] Cf. the insistence laid upon this by Josephus in his account of the Baptist (Antt. XVIII 5, 2 (§ 117)). As has often been noticed, his description of John's baptism as being "for the purification of the body when the soul had previously been cleansed by righteous conduct" is in striking accord with 1QS iii, 8 f.

[16] Do the words ἀληθῶς Ἰσραηλείτης, ἐν ᾧ δόλος οὐκ ἐστιν (John i, 47) perhaps reflect the Baptist's ideal taken over by Jesus? Cf. the covenanters' aim of being a house of community "for the Israelites who walk in perfection" in contrast with "the men of deceit" (1QS ix, 6 and 9).

Spirit, and have seen in it a reading back of Christian theology. But now from Qumran we have clear evidence that the covenanters too regarded the dispensation of water, and with it all the present rules and discipline under which the community lived, as being merely provisional till the coming of the Messianic age (1QS ix, 10f; CDC xv, 4), when it would be superseded by a new dispensation of holy Spirit. "And then [namely, at "the season of visitation," when "the truth of the world will appear for ever"] God will purge by his truth all the deeds of man, refining for himself some of mankind in order to abolish every evil spirit from the midst of his flesh, and to cleanse him through a holy Spirit from all wicked practices, sprinkling upon him a Spirit of truth as purifying water" (1QS iv, 20 f.).

Here are the characteristic themes of the Baptist's preaching — refining, cleansing, water and holy Spirit — all set in the context of the fire of judgment (iv, 13),[17] the abolition of evil (iv, 19 f.), and "the making of the new" (iv, 25).[18] Here, I believe, is a much more exact parallel for the Baptist's activity than anything we have had before — even when full allowance is made for the differences and for the highly striking and individual character of John.

Moreover, and at this point I deliberately enter the field of speculation, *if* John did see his mission in the same sort of categories as those of Qumran, then we may have a better idea of why Jesus identified himself with it and, to the embarrassment of the Church, himself underwent the baptism of John. Why should Jesus, who later was to contrast himself so strongly with John, have felt drawn thus to throw in his lot with the Baptist and his movement?

From a remark recorded by Matthew (xxi, 32) (and confirmed in substance independently by Luke vii, 29 f.; cf. iii, 12), Jesus evidently saw the mission of John as a path marked out for

[17] Cf. the vivid description of the final judgment of the world by fire in 1QH iii, 29–36.

[18] This is probably a reference to Isaiah xliii, 19 (cf. the echo of v. 10 of this same chapter in viii, 6), where it is significant that the 'new thing' that God promises is precisely that he "will make a way in the wilderness and rivers in the desert." This may be additional evidence that the time of the way in the wilderness is "the period of the decree," i.e., the End.

Israel by God: "John came to you in the way of righteousness and you did not believe him, but the tax-collectors and the harlots believed him; and even when you saw it you did not afterwards repent and believe him." It is possible, incidentally, that in this expression "the way of righteousness" we may have something more technical than has hitherto been suspected. Just as both the covenanters (1QS ix, 18) and the Christians (Acts ix, 2) knew themselves as "the way," and dwelt strongly on the two ways (1QS iii, 13 — iv, 26; Didache i–vi; Matthew vii, 13 f.), so "the way of righteousness" may well have been the popular name for John's movement. According to the Manual of Discipline, the function of the Spirit of truth in a man is to "make straight before him all the ways of true righteousness, and to make his heart tremble with the judgments of God" (iv, 2) — as good a summary of John's message as one could wish.

But, to return, something more seems to be required to explain Jesus' submission to John's baptism of repentance than that he evidently believed it to be "from heaven" and not merely "from men" (Mark xi, 30 f.). It has indeed been customary to see in this act Jesus' first recognition of his redemptive mission and in this step of identification his willingness from then on to be "numbered among the transgressors." The difficulty is that there is nothing in the New Testament accounts to suggest that the Baptist's movement was in any way a redemptive group with which a man might identify himself from this kind of motive — in order, that is, to share in making atonement for the sin of Israel. But if there is behind John's mission the sort of thinking represented at Qumran, this missing link is supplied. For this community saw its function precisely in these terms: "to lay a foundation of truth for Israel . . . , to atone for all those who dedicate themselves for holiness in Aaron and for a house of truth in Israel" (1QS v, 5 f.), "to atone for the earth (or, the land) and to render to the wicked their desert" (viii, 6 f.; cf. 1QSa i, 3), "to make atonement for the guilt of transgression and sinful infidelity" (1QS ix, 4). If this was the kind of outlook in which John was nurtured and in some way also the *raison d'être* of his own movement — repentance, that is, not merely to escape the coming judgment, but to create a pure and purifying remnant —

then we may have the clue to why Jesus felt compelled to associate himself with it.

It may also explain two other things. The first is the way in which later Jesus was to speak of his 'baptism' of suffering: "I have a baptism to be baptized with; and how I am constricted until it is accomplished! " (Luke xii, 50), and, "Are you able to drink the cup that I drink, or to be baptized with the baptism that I am baptized with? " (Mark x, 38) — a passage that leads directly into the classic description of his death in terms of the suffering Servant: "For the Son of man came not to be served but to serve, and to give his life as a ransom for many" (Mark x, 45). Why did Jesus thus think of his redemptive suffering in terms of his baptism? Presumably because he had already come to see his baptism in terms of redemptive suffering. What was to be 'accomplished' on Golgotha could only be understood as the full flowering of what was begun in Jordan. But that being baptized by John carried any such implications — that it involved in any sense setting one's foot on the path of redemptive suffering — of this there is no hint in the Gospels. But again the Dead Sea Scrolls may provide the missing link. For, according to the Manual of Discipline, the function of the inner group of twelve laymen and three priests, who were to embody the ultimate ideal of the whole Community, was "to maintain faithfulness in the land . . . with a broken spirit, and to expiate iniquity through practising justice and through the anguish of the refining furnace" (viii, 3 f.).

Secondly, new light may be shed on the connection between Jesus' baptism by John and his subsequent baptism with the Spirit. This latter is accompanied by the declaration: "Thou art my Son, the beloved, with thee I am well pleased." It is generally recognized that behind these words stand those of Isaiah xlii, 1: "Behold my servant, whom I uphold, my chosen in whom my soul delights; I have put my spirit upon him, he will bring forth justice to the nations." [19] But what is the link between Jesus' baptism with water and his anointing with the Spirit as the παῖς θεοῦ? The Gospels are content merely to stress the

[19] Cf. particularly O. Cullmann, Baptism in the New Testament, pp. 16–22; J. Jeremias, The Servant of God, pp. 81 f.

immediacy of the connection (Mark i, 10). Part of the reason has already been suggested, namely, that the water baptism itself meant setting one's foot on the path of the Servant. But what is the relation between this baptism and that unique event which followed for Jesus but for none of the others who shared John's baptism?

Again the whole outlook of the Qumran sect is instructive. As we saw, they expected their present rites of purification to give place to a 'baptism' with holy Spirit that God himself would administer. All their activity was but preliminary to the time when the Messianic age would dawn (1QS ix, 10 f.; 1QSa, ii, 11; CDC ix, 10 and 29; xv, 4; xviii, 8). And to hasten that day there was to be within the Community as a whole a dedicated nucleus, who in special degree were to embody to perfection the purifying discipline of the order. And then, "when these things come to pass in Israel [i.e., when such purification and dedication is fully perfected], the Council of the Community [viz., the whole body] will have been established in truth:

> As an eternal planting, a holy house of Israel,
> A most holy institution of Aaron,
> True witnesses with regard to religion
> And the chosen of divine acceptance to atone for the earth"
> (1QS viii, 4–6) [20]

In other words, the final object of all the sect's discipline, repentance and purification is that the Community itself may become the embodiment of the Servant ideal, the Elect of God for his atoning work (cf. Isaiah xliii, 10; liii, 12). And in Jesus this ideal is *already declared* by the Divine voice to have found its fulfilment: here and now, in this man, is God's purified instrument "to serve the purpose of grace to make atonement for the earth" (viii, 9½) and to establish the new and eternal covenant (viii, 10a). Baptized by John, and without further need to be made perfect, Jesus is designated what the covenanters, and (shall we say?) John too, envisaged as the agent by whom the Messianic period would be ushered in.

But there is, perhaps, yet more exciting to come. For it may

[20] Translation as revised by W. H. Brownlee, B.A.S.O.R. 135 (Oct. 1954), p. 34.

be that the sect actually expected that this Servant ideal would be embodied in the Community as a whole only through an *individual*, whom God must first purify and anoint with the Spirit, to be the means of communicating his knowledge of God to the rest. All here turns on a crux of translation and exegesis. But, whether it will prove itself or not, one cannot ignore the highly suggestive interpretation which Professor Brownlee has now placed [21] upon a passage quoted earlier. For if he is right, the sect had an expectation of an eschatological figure delineated in terms of the suffering Servant:

> And at that time God will purify by his truth all the deeds of *a man*; and he will refine him more than the sons of men, in order to consume every evil spirit from the midst of his flesh, to cleanse him through the holy Spirit from all wicked practices; and he will sprinkle upon him the Spirit of truth as purifying water so as to cleanse him from all untrue abominations and from being contaminated with the Spirit of impurity, so that he may give the upright insight into the knowledge of the Most High and into the wisdom of the sons of heaven,[22] in order to make wise the perfect of way. For God has chosen them to be an eternal covenant; and all the glory of Adam will be theirs; and there will be no more perversity, all works of fraud having been put to shame (1QS iv, 20–3).

If this is the true sense of the passage, it gives a perfect connection between the baptism of Jesus and his anointing with the Spirit as the Servant of the Lord for his consummating work of revelation and redemption. Moreover, it opens up the possibility that John himself, as the Fourth Gospel asserts, should have been looking by revelation for precisely such a figure: "He who sent me to baptize with water said to me, 'He on whom you see the Spirit descend and remain, this is he who baptizes with holy Spirit.' And I have seen and have borne witness that this is the Son of God" (John i, 33 f.).[23] The Scrolls, to be sure, have so far pro-

[21] B.A.S.O.R. 135 (Oct. 1954), pp. 33–38. Reicke (op. cit., p. 14) and J-P. Audet ("Affinités littéraires et doctrinales du Manuel de Discipline," Revue Biblique LX (1953), p. 74) come independently to a similar interpretation.

[22] Cf. Test. Levi xviii, 6–8: "The heavens shall be opened . . . . and the glory of the Most High shall be uttered over him, and the spirit of understanding and sanctification shall rest upon him (in the water). For he shall give the majesty of the Lord to His sons in truth for evermore." (Translation R. H. Charles.)

[23] Originally again the παῖς θεοῦ, as in the declaration "Thou art my Son"? Cf.

vided no exact parallel for the idea that it is *through* the 'coming one' that God would baptize his People with holy Spirit.[24] But given the fact that this was John's message — and such is the unanimous testimony of the Evangelists — we may now be able to see why he should have expected to recognize this figure in one who was *himself* to be baptized with the Spirit before he could communicate its gifts of wisdom and knowledge to others.

The purpose of John's baptism, we may say, was precisely to force the eschatological issue. The identity of the coming one indeed remained hidden from him as from the rest (John i, 26, 31, 33). What distinguished John was his certainty that this figure now stood waiting only to be revealed (John i, 26). And so he emerges, at the prompting of God (John i, 33), to set the last things in motion by his baptism of water. For that was the necessary preliminary and pointer to that other 'baptism' by the Spirit, which was to consecrate the coming one for his mission (John i, 31), the ultimate divine mission of taking away the sin of the world (John i, 29),[25] and of pouring out upon men the holy Spirit of God (John i, 33).

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the v. l., ὁ ἐκλεκτός τοῦ θεοῦ, which Jeremias argues to be the true reading (op. cit. p. 61), and Luke ix, 35.

[24] The nearest apparent parallel is in CDC ii, 10: "And through his Messiah he shall make them know his holy Spirit." (Translation R. H. Charles.) But this certainly refers, like the rest of the passage, to the *past* history of Israel. Millar Burrows, The Dead Sea Scrolls, p. 350 (though not on p. 264), translates: "And he caused them to know by his anointed his holy Spirit"; and C. Rabin, The Zadokite Documents, p. 8, renders: "By the hand of his anointed ones," (i.e., the prophets); cf. CDC viii, 2; 1QS i, 3; and Ps. cv, 15.

[25] The title 'the Lamb of God' remains as mysterious as ever. But both C. H. Dodd (The Interpretation of the Fourth Gospel, p. 238) and C. K. Barrett ("The Lamb of God," N. T. Studies I (1955), p. 213) agree that it could plausibly have been used by the Baptist himself, standing in the apocalyptic tradition represented in Enoch and Revelation. The other echoes of the Servant language, if established, would again reopen the question whether the phrase should not be traced to the Ebed Jahweh tradition of Isaiah liii, 7 and 12, and, for the first time, could associate the Baptist himself with this interpretation. In any case, the idea of a divine agent (whether corporate or individual) who would take away the sin of the earth (or the land) must not now be judged at all inconceivable on the lips of John. But, whatever the precise background, it is the abolition, as much as the redemption, of sin which is in mind. Though the Qumran group thought of themselves as making atonement for the faithful, they had no doubt that the only hope for there being "no more wrong-doing" lay in the utter condemnation of wickedness (1QS iv, 23; viii, 9½). The prospects for the godless in eternal fire, both in their thinking (1QS ii, 8, 15) and in John's (Matthew iii, 10, 12 =

Such is the reconstruction of the Fourth Evangelist. Few modern commentators have been prepared to consider it seriously as history. But the new material must at least raise the question whether it does not in fact make surprising sense as an interpretation of John's work.[26]

It has indeed been widely, and increasingly, recognized that the early chapters of St. John embody a tradition remarkably well informed on southern Palestine prior to the fall of Jerusalem, and provide locations and details of the Baptist's activity for whose inclusion there would appear to be no conceivable theological interest. But with this, paradoxically, has gone an estimate of the Evangelist's portrait of John as a picture drawn almost wholly from theological motives of a polemical nature and possessed consequently of very little historical value. This assessment has been considerably influenced by the enormous gulf that appeared to exist between the eschatological prophet of the desert and that philosophical milieu of Hellenistic Judaism within which the Fourth Evangelist was supposed to be writing: the religious outlook of the one could scarcely be reflected very accurately in the theological purpose of the other.

But the discovery of the Scrolls has not only made us review the historical accuracy of the account of the Baptist furnished by the Fourth Gospel; it has revealed that *in theology* the language and outlook of Qumran have striking affinities not merely with those of the Baptist but even more with those of the Evangelist.[27] Perhaps the two were not so far apart, nor so unsympathetic, after all. Indeed, there is much to be said for the old view that the tradition at any rate behind the opening chapters of the Gospel derives from a follower of Jesus who had actually been a disciple of John (cf. John i, 35). And that that tradition

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Luke iii, 9, 17), reveal a conception of the purging of sin which owes quite as much to Malachi (iii, 2 f.; iv, 1) as to Second Isaiah.

[26] Thomas, op. cit., pp. 86 f., cites John i. 31 and 33 as summing up very accurately the distinctive feature of John's mission, namely, that he alone within the Baptist movement (prior to the evidence of Qumran) justifies his activity by reference to a coming Messianic baptism.

[27] Cf. K. G. Kuhn, "Die in Palästina gefundenen hebraïschen Texte und das Neue Testament," Zeitschrift für Theologie und Kirche XLVII (1950), pp. 209 f.; W. Grossouw, "The Dead Sea Scrolls and the New Testament," Studia Catholica XXVI (1951), pp. 295–299; B. Reicke, op. cit., Religion och Bibel XI (1952),

should be marked both by the historical traits and by the theological character which it has is best explained if we can posit an earlier association between John and Qumran. For this Community is the common factor, and indeed the only common factor, between the stark prophet of the Judaean desert and those quasi-Gnostic forms of thought which hitherto had seemed so un-Palestinian and so late. If Qumran does provide the unsuspected link, then it should no longer surprise us to find a document which appears to reveal an intimate and an accurate familiarity with both.

That there was such an association between the Baptist and Qumran still remains a hypothesis. But the function of a hypothesis, scientifically, is to enable us to correlate the data we possess and to perceive new connections. It must be tested by its historical plausibility and its ability to provide this correlation. This study has attempted no more than to suggest some of the considerations relevant to this test.

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pp. 15 f.; Lucetta Mowry, "The Dead Sea Scrolls and the Background for the Gospel of John," The Biblical Archaeologist XVII (1954), pp. 78–97; F. M. Braun, O. P., "L'arrière-fond judaïque du quatrième évangile et la Communauté de l'Alliance," Revue Biblique LXII (1955), pp. 5–44; W. H. Brownlee, op. cit., Interpretation IX (1955), pp. 84–89; R. E. Brown, S.S., "The Qumran Scrolls and the Johannine Gospel and Epistles," Catholic Biblical Quarterly, XVII (1955), pp. 403–419, 559–574); O. Cullmann, "The Significance of the Qumran Texts for Research into the Beginnings of Christianity," Journal of Biblical Literature LXXIV (1955), pp. 213–226; E. Stauffer, op. cit., Theologische Literaturzeitung LXXXI (1956), col. 136–149; G. Molin, Die Söhne des Lichts (Vienna, 1954); R. Gyllenberg, "Die Anfänge der johanneïschen Tradition," in Neutestamentliche Studien für Rudolf Bultmann (ed. W. Eltester), pp. 144–147; M. Burrows, op. cit., pp. 338–340; W. F. Albright, "Recent Discoveries in Palestine and the Gospel of St John," in The Background of the New Testament and its Eschatology (ed. W. D. Davies and D. Daube), pp. 163–171.

# DIE GRIECHENGÖTTER UND DIE GERECHTIGKEIT

MARTIN P. NILSSON
LUND, SWEDEN

DAS FEHLEN eines rechten Verhältnisses zwischen den Göttern und der Gerechtigkeit ist ein Hauptproblem in der Geschichte der griechischen Religion. Es trug in hohem Mass zu ihrer Auflösung bei. Die Griechen setzten sich mit wahrer Leidenschaft für die Gerechtigkeit ein, meistens in der Form der vergeltenden Gerechtigkeit, *παθεῖν τὸν ἔρξαντα*.[1] Das kommt auch zum Ausdruck in dem zuerst von Solon ausgesprochenen und seitdem oft wiederholten Wunsch: "Möge ich meinen Freunden süss, meinen Feinden bitter sein."[2] Unsrer christlich beeinflussten Moral ist er befremdlich. Es hängt dies mit ihrer mehr oder weniger demokratischen Staats- und Gesellschaftsform zusammen. In anderen Religionen fehlt das Problem: zwar wird die Gerechtigkeit hoch geschätzt, ein jeder wünscht ein gerechtes Urteil, man beugt sich aber vor der Macht der Götter, der Herrscher, der Priester, ohne weiter zu fragen. In Griechenland gab es keine Priesterschaft, die Priester waren Bürger wie die anderen Glieder des Staates. Das Königtum war früh geschwunden oder machtlos geworden. Der Tyrann wurde als eine Ausgeburt der Ungerechtigkeit betrachtet, und auch ein legitimer König, der sich eine ausserordentliche Machtstellung erworben hatte wie Pheidon, wurde für einen Tyrannen gehalten. Die Autorität, die etwas anderes als die blosse Macht ist, verkörpert sich am ehesten in einem Einzelnen, weniger in einer Körperschaft, wie es der Adelsstaat war, noch weniger in einer launenhaften Volksversammlung. So geht das Verlangen nach Gerechtigkeit Hand in Hand mit der Demokratisierung, erstarkt mit dieser und endet mit ihr in der Nivellierung.

Recht in der Bedeutung von Gesetz und Rechtsprechung, welche der Gerechtigkeit dienen, sind ein Teil davon. Die Auffassung von Kränkungen an Personen, Gut und Habe als wider-

[1] Aeschylus, Agam., v. 1564.

[2] Solon, fr. 1 Diehl[3], 13 Bergk[4], v. 5. *εἶναι δὲ γλυκὺν ὧδε φίλοις, ἐχθροῖσι δὲ πικρόν, τοῖσι μὲν αἰδοῖον, τοῖσι δὲ δεινὸν ἰδεῖν.*

rechtlich setzt ein geordnetes Zusammenleben voraus, sie wurden geahndet, anfangs durch Selbsthilfe. Noch in der klassischen Zeit finden sich Spuren von Selbstpfändung. Die Vendetta, Blutrache [3] verschwindet. Sobald irgend eine Staatsgewalt aufkam, musste sie sich gegen solche Eigenmächtigkeit wenden, wie früh das geschah, wissen wir nicht. Die Staatsgewalt hatte auch andere Interessen zu wahren und dazu Zwistigkeiten zwischen Einzelnen zu steuern. Ein Rechtsprechen muss es gegeben haben, so lange etwas, das einem Staat glich, existiert hat. Die Ilias, xviii, vv. 498 ff., schildert eine Gerichtsszene, und in der mykenischen Zeit können Gerichte nicht gefehlt haben. Für die minoische Zeit sind sie durch die Mythen bezeugt. Nach der Odyssee, xi, v. 569, sprach Minos den vor seinem Richterstuhl versammelten Leuten Recht, er ist berühmt als der grosse Gesetzgeber, der die Gesetze von Zeus erhalten hat.

Wenn es Gerichte gibt, muss es Satzungen geben, nach denen Recht gesprochen wird. Anfangs waren es wohl allgemein anerkannte Normen, die fest wurden, da man sich immer wieder auf sie berief, und die sich so zu ungeschriebenen traditionellen Gesetzen herauskristallisierten. Der Ausdruck dafür ist das Wort *θέμις* und die Göttin Θέμις.[4] *θέμις* ist das, was sich gebührt, das Geziemende, das Normative, und solche Normen gibt es immer überall, auch bei primitiven Völkern, "the collective conscience, the social sanction." [5] Die einzelnen Normen sind die *θέμιστες*, die ungeschriebenen Satzungen, welche das gesellschaftliche und staatliche Leben der Frühzeit regelten, später wurden sie durch Gesetze, *νόμοι*, ersetzt. Das Wort kann aber auch das von der Staatsgewalt Auferlegte bezeichnen. *θέμιστες* heissen in der Ilias, ix, 156 ff., = 297 ff., die Abgaben, welche die Untertanen dem Herrn zu zahlen haben. Später war *θέμις* ein nur halb verstandenes Wort, das verschieden gebraucht wurde. Deswegen war es um so ehrwürdiger, ebenso wie die Göttin Θέμις in der es sich verkörperte, gerade wie die ältesten Xoana die ehrwürdigsten Götterbilder waren.

[3] H. J. Trenton, Poine, A Study in Ancient Blood-Vengeance, 1923.

[4] Über die Bedeutung und Bedeutungsverschiebung des Wortes siehe den Anhang S. ff.

[5] J. E. Harrison, Themis, S. 485.

Δίκη ist jünger, sicher als Göttin. Die ursprüngliche Bedeutung des Wortes δίκη ist schwer zu erfassen.[6] Es hat eine weite aber geschlossene Bedeutungssphäre. Es bedeutet "das was recht ist," dann wie das schwedische Wort *rätt* auch "Gericht" und "Gerichtsverfahren," ferner das was recht ist, das man einem anderen schuldet oder einem als Busse auferlegt wird, und daher "Strafe."

Gerechtigkeit ist ein viel weiterer Begriff als Recht. In ihrem legalen Aspekt ist sie ein gerechtes Urteil in Übereinstimmung mit den Gesetzen und den vorliegenden Tatsachen. In ihrem sozialen Aspekt fordert sie, dass der Mächtige und Reiche nicht seine Macht und Reichtum braucht, um den Schwächeren und Armen zu übervorteilen. Der dritte Aspekt ist individualistisch und könnte vielleicht mit dem Spruch ausgedruckt werden: "Was du nicht willst, dass man dir tu', das füg' auch keinem anderen zu." Die Gerechtigkeit wird nicht in fixierten Sätzen gefasst, sie wurzelt vielmehr in einem den Menschen angeborenen Gefühl für das, was recht ist. Dies ist der Grund für die ziemlich verworrene Diskussion über den νόμος ἄγραφος und schliesslich für die Herausbildung der Lehre von dem Naturrecht. Die Gerechtigkeit ist nicht nur Recht, sondern auch Moral und wie alle Moral im Gewissen verwurzelt.

Dass die Gerechtigkeit ein Teil der Moral ist, war für das Verhältnis der griechischen Götter zur Gerechtigkeit verhängnisvoll; warum, das lehren eine Menge von Mythen. Gerechtigkeit ist eine Tugend der Menschen. Alle Völker schätzen sie hoch, wenn sie sich auch vor der Hoheit der Götter und der Herrscher beugen. Die Griechen haben aber die Götter so folgerichtig anthropomorphosiert wie kein anderes Volk, nicht nur in ihrer äusseren Erscheinung, sondern auch in ihrem Inneren, im Fühlen, Wollen und Handeln. Dies hatte zur Folge, dass Gerechtigkeit auch von den Göttern gefordert wurde. Schon Hesiod, Theog., V. 775 ff., weiss, dass die Götter meineidig werden können. Wenn

[6] L. R. Palmer, The Indo-Europaean Origins of Greek Justice, Transactions of the Philological Society, London 1950, pp. 149 ff., kommt in einer etymologisch-semasiologischen Untersuchung zu dem Ergebnis, dass δίκη zu δείκνυμι gehört und ursprünglich 'mark, boundary mark, indication' bedeute; dies hänge zusammen mit der griechischen Anschauung von einer Ordnung in der Natur und im menschlichen Leben, in der jeder Einzelteil seinen bestimmten Platz hat.

einer der olympischen Götter lügt, sendet Zeus Iris mit dem Wasser der Styx, an dem er den Eid ablegen muss. Wenn er einen Meineid begangen hat, wird er bestraft, er liegt ein Jahr bewusstlos hin und wird dann neun Jahre lang von der Gesellschaft der Götter ausgeschlossen. Xenophanes hat den Anfang mit der Kritik der Götter gemacht.[7] "Alles haben den Göttern Homer und Hesiod angehängt, was nur bei Menschen Schimpf und Tadel ist, Stehlen und Ehebrechen und einander Betrügen." Das wird *ἀθεμίστια ἔργα* genannt. Wie tief diese Kritik traf, zeigt das Bemühen Pindars, anstössige Mythen zu korrigieren, andere z.B. Euripides, haben die Kritik weiter geführt. Die Griechen konnten sich nicht darin finden, dass die hohen Herren, welche das Geschick der Menschen bestimmten, der Tugend der Gerechtigkeit entbehrten, die sie als die Grundlage des Zusammenlebens der Menschen und der Gesellschaft betrachteten. Verurteilten sie doch die Tyrannen, weil ihr Regiment der Gerechtigkeit widersprach!

Die Forderung nach Recht und Gerechtigkeit wurde in Griechenland auf der sozialen und profanen Ebene entwickelt, nicht auf der religiösen wie in Israel, wo die Propheten sie verkündeten und verschärften. Daher ist es notwendig, sie in dieser Hinsicht weiter zu verfolgen. Die älteste Quelle, die uns mehr als Vermutungen bietet, ist Homer. In dem Anhang über Themis habe ich Einzelheiten besprochen, hier soll nur das Allgemeine hervorgehoben werden. In den Kämpfen um Troja, in den Abenteuern des Odysseus gab es wenig Gelegenheit von Recht und Gerechtigkeit zu sprechen, sie kommen nur sehr selten vor. Die adelige Gesellschaft, in der sich Homer bewegt, hatte wenig Interesse dafür, ihre Ethik war eine andere. Die Adeligen standen eben so hoch über den gemeinen Leuten wie die Götter über den Menschen. Ihr Sinnen und Trachten war auf die *τιμή* gerichtet, auf das Geehrtwerden. *θέμις* ist, wie Ehrenberg richtig bemerkt,[8] bei Homer zur Norm der Adelsethik geworden. Was bei Homer der Gerechtigkeit am nächsten kommt, obgleich es etwas anderes ist, ist die *μοῖρα*, der gebührende, rechte Anteil am Mahl, an der Beute, am Leben überhaupt. Man kann sich mehr

[7] Xenophanes, fr. 11 und 12 Diels.
[8] V. Ehrenberg, Die Rechtsidee im frühen Griechentum, 1921, S. 10 f.

als den ihm zustehenden Anteil aneignen, muss dann aber die üblen Folgen tragen, es ist ὕβρις. So wird die Drohung Agamemnons, dem Achill Briseis wegzunehmen, Ilias i, 214, bezeichnet, die einzige Stelle in der Ilias, wo das Wort vorkommt. Gewöhnlich bedeutet es "Frechheit, Frevel, Gewalt," wie auch die Ableitungen ὑβριστής und ὑβρίζω zeigen, die alle in der Ilias nur einmal, in der Odyssee öfter, besonders mit Beziehung auf die Freier, vorkommen. ὕβρις ruft Tadel, νέμεσις, hervor, Unwille, Tadelnswertes Später wird die Bedeutung dieses Wortes schärfer ausgeprägt. Wir kommen auf seine grosse Rolle noch zurück.

Mit Hesiod wird das Problem der Gerechtigkeit akut. Er hatte das Handwerk der Rhapsoden gelernt, gehörte aber einer ganz anderen Welt an, als die homerische war, der armen Bauernschaft Boeotiens, über welche die adeligen Herren Recht sprachen, weil nur sie die traditionellen Rechtssätze kannten, und diese zum eigenen Vorteil gebrauchten. Durch eigene bittere Erfahrung geführt, wurde er zum Verkünder von Recht und Gerechtigkeit. Denn Recht und Gerechtigkeit sind der Schild, den die kleinen Leute gegen die Übergriffe der Mächtigen erheben, deren Autorität sie nicht anerkennen, wenn sie gegen das Recht verstossen. Die Geschädigten berufen sich auf das allgemein menschliche Gefühl für Recht und Gerechtigkeit, das die dagegen Handelnden, wenn sie es auch nicht selbst haben, doch kennen. So entsteht dieses Gefühl auf dem sozialen Plan und wächst sich darauf stark aus.

Das Wort δίκη kommt bei Hesiod häufig vor,[9] viel häufiger als θέμις, und zwar in verschiedenen Bedeutungen. Die alte Norm, die θέμις ausdrückt, bezeichnet es nur einmal, Scut. 112, ἡ δίκη ἔσθ' ἱκέτῃσι. Die häufigste Bedeutung ist eben "Recht." Unter den Tieren gibt es kein Recht, Zeus gab es den Menschen als die wertvollste Gabe, Op. 278 f. Aber auch unter ihnen herrscht das Faustrecht, δίκη δ' ἐν χερσί, Op. 192. Man kann das Recht schädigen, Op. 283, jedoch siegt am Ende das Recht über die ὕβρις, Op. 217. Horche auf das Recht, Op. 213, 275. "Gerechtigkeit" bedeutet δίκη Op. 9, δίκῃ ἴθυνε θέμιστας, "mache die überlieferten Satzungen richtig durch Gerechtigkeit" oder "durch

[9] Vgl. Wilamowitz, Hesiodos' Erga, 1928, S. 65 ff.

Urteilssprüche." Die Bedeutung "Rechtssprechen" ist deutlich, Op. 272: "es ist schlimm, wenn der Ungerechte grösseres Recht (δίκη) hat." In der Theogonie 80 ff. heisst es, dass die Musen die ehrwürdigen βασιλῆες begleiten, ihnen Beredsamkeit verleihen, und dass alle Leute auf sie blicken, wenn sie die Satzungen auswählen mit geraden Rechtssprüchen.[10] Dieselbe Bedeutung kehrt wieder Op. 35 f., "lasst uns den Zwist durch gerade Urteilssprüche entscheiden," διακρινώμεθα νείκος ἰθείῃσι δίκῃς. Ähnlich ist auch Op. 221: Dike folgt weinend, wenn die ἄνδρες δωροφάγοι die Satzungen mit krummen Urteilssprüchen auswählen, σκολίῃς δὲ δίκῃς κρίνωσι θέμιστας.[11] Wie diese beiden Bedeutungen in einander fliessen, zeigt Op. 224, wo von Leuten gesprochen wird, die die Δίκη (hier aber kaum die Göttin, die das Recht personifiziert) austreiben und nicht gerade zuteilen, im Vergleich mit dem folgenden Vers, wo der Plural steht, so dass Urteilssprüche gemeint sein müssen: "diejenigen, die den Fremden und den Volksgenossen gerade Urteilssprüche zuteilen und nicht das Gerechte übertreten." Ferner bedeutet δίκη Gerichtsverfahren, Prozess,[12] schliesslich die auf widerrechtliches Handeln folgende Strafe, Op. 239. Die merkwürdige, hesiodeisch beeinflusste Stelle der Ilias, xvi, 384 ff., wird in dem Anhang behandelt.

Einige der oben besprochenen Stellen sind wohlbekannt und werden oft zitiert. Sie wurden hier zusammengestellt, um zu betonen, wie aktuell das Recht und Rechtsfinden und die Forderung der Gerechtigkeit zur Zeit des Hesiod geworden waren und zwar im sozialen Leben. Wie jede menschliche Tätigkeit wurden das Recht und die Gerechtigkeit unter göttlichen Schutz gestellt. Kein anderer Gott als Zeus war befähigt, Hüter des Rechts und der Gerechtigkeit zu werden. Seit alters war er der Vater Zeus, der das Recht des Familienvaters und dann auch das Recht des Königs schützte. Die alten Überlieferungen, welche geboten, die Schutzflehenden und die Fremden zu schonen,

[10] Theog. 80 f., οἳ δέ τε λαοὶ πάντες ἐς αὐτὸν ὁρῶσι διακρίνοντα θέμιστας ἰθείῃσι δίκῃσι. Die ursprüngliche konkrete Bedeutung von κρίνω ist "auslesen," "sichten," hier also "unter den Normen die richtigen auswählen."

[11] Vgl. Op. 262, δίκας σκολιῶς ἐνέποντες, 250, ὅσοι σκολίῃσι δίκῃσιν ἀλλήλους τρίβουσι.

[12] Op. 39, 249, 269, 254 = (124).

standen unter seinem Schutz.[13] So erscheint er auch bei Hesiod als Hüter des Rechts und der Gerechtigkeit, besonders in dem langen Abschnitt, Op. 263, den ich verkürzt wiedergebe. Die "Könige" werden ermahnt, gerade Urteile zu fällen und krumme zu vergessen. Schlechter Rat bekommt dem Urheber am schlimmsten, denn das Auge des Zeus sieht alles und bemerkt alles, und er sieht es, *wenn er will*, und es entgeht ihm nicht, welches Recht (δίκη) es in dieser Stadt gibt. Der Dichter wünscht, dass weder er noch sein Sohn gerecht sei, wenn der Ungerechte grösseres Recht (δίκη) haben soll. Er hofft aber, dass der ratkluge Zeus dies nicht in Erfüllung gehen lassen werde. Er ermahnt den Perses auf die Gerechtigkeit (δίκη) zu hören und die Gewalt zu vergessen. Zeus hat den Tieren das Gesetz (νόμος) gegeben, einander aufzufressen, weil es unter ihnen kein Recht (δίκη) gibt, den Menschen gab er aber das Recht, das von allem das Beste ist. Denn wenn jemand gerecht rechtsprechen will, gibt Zeus ihm Reichtum (oder Glück, ὄλβος). Wer einen Meineid begeht, lügt und das Recht schädigt, ist heillos verblendet, er hinterlässt ein zu Grunde gehendes Geschlecht, das des eidestreuen Mannes wird emporkommen.

Zeus erscheint als der Urheber und Hüter des Rechts, die Ausdrücke sind aber allgemein gehalten und nicht sehr eindringlich. Was von dem Meineidigen gesagt wird, ist dasselbe wie in dem bekannten Orakel an Glaukos bei Herodot, vi, 86. Von dem oft erwähnten moralischen Gesetz, Schutzflehenden und Fremden nichts Böses zu tun und sich nicht gegen Eltern, Brüder und verwaiste Kinder zu vergehen wird Op. 327 ff. gesagt, dass Zeus selbst den Dawiderhandelnden zürnt. In den unmittelbar vorausgehenden Versen heisst es, dass die Götter denjenigen niederwerfen, der Reichtum mit Gewalt und Trug erwirbt. Die geläufigen Moralgebote werden dem Zeus zugeschrieben. Im allgemeinen sagt Hesiod (Op. 238 ff.), dass wem ὕβρις und schlimme Taten eigen sind, dem verhängt Zeus die Strafe (δίκη), und fügt hinzu, dass oft die ganze Stadt für einen bösen Mann büssen muss: Zeus schickt ihnen Pest und Hungersnot. Dies ist das aus den Mythen wohlbekannte Motiv, dass die Stadt, das Volk

[13] Siehe meinen Aufsatz Vater Zeus, Arch. f. Religionswissenschaft, XXXV, 1938, S. 156 ff., wieder abgedruckt in meinen Opuscula selecta, ii, 1952, S. 710 ff.

für die Versündigung oder Befleckung eines Einzelnen büssen muss. Diejenige Stadt dagegen, die Fremden und Volksgenossen gerades Recht (δίκαι ἰθεῖαι) zuteilt und das Recht (τὸ δίκαιον) nicht verletzt, blüht in Frieden, und Zeus sendet ihr keinen schweren Krieg; unter gerechten Leuten gibt es weder Hungersnot noch Verderben. Die folgende Schilderung der Blüte der gerechten Stadt erinnert an die der Odyssee, xix, 111 ff., von dem Blühen einer Stadt, die einen gerechten König hat. Noch ist schliesslich an die Ermahnung an den Bruder, Op. 35 f., zu erinnern, den Zwist durch gerade Urteile (ἰθείῃσι δίκῃς) zu beenden, welche von Zeus kommen und die besten sind (αἵ τ' ἐκ Διός εἰσιν ἄριστοι).

Es ist offenbar, dass Hesiod von seiner Leidenschaft für Recht und Gerechtigkeit geleitet einen göttlichen Beschützer dafür gesucht hat. Er konnte wie auch alle anderen Griechen dafür keinen anderen als Zeus finden. Apollon, der in den Erga nur einmal, V. 771, im Vorübergehen als Sohn der Leto genannt wird, wird nie als ein Gott des Rechts und der Gerechtigkeit angesprochen, er hat die ihm vorgelegten Gesetze durch seine Autorität sanktioniert und sich der allgemein gültigen Moral angenommen, nicht mehr. Sein Gebiet war das Rituelle. In der Theogonie gibt es keine Andeutung, ausser in dem Abschnitt über den Meineid eines Gottes (oben S. 195), dafür, dass Zeus Recht und Gerechtigkeit schützt. Bezeichnend ist, dass unter den vielen Epitheta des Zeus keines sich auf Recht und Gerechtigkeit bezieht; ich kenne nur eine Ausnahme, Aischylos, Agam., 503, nennt Zeus als den, der die Zerstörung Trojas bewirkt hat, δικηφόρος.[14] Dies vereinzelte Zeugnis beruht auf der Zeusreligion des Aischylos.

Es scheint, als throne Zeus in weiter Ferne, und vielleicht findet sich schon bei Hesiod ein Anklingen der von den Späteren ausgesprochenen Meinung, dass er nur selten und weniger tatkräftig zum Schutz des Rechts und der Gerechtigkeit eingreife. Ich erinnere nochmals an das "wenn er will," Op. 268 (καί νυ τάδ' αἴ κ' ἐθέλῃσ' ἐπιδέρκεται. Daher hat Hesiod Mittelwesen als seine Boten erfunden. Op. 252 ff. spricht er von dreitausend unsterb-

[14] Siehe das Verzeichnis Bruchmanns im Anhang zu Roscher, Lexikon der Mythologie; in Fehrles Liste ebd. s.v. Zeus fehlt das Wort, weil poetisch.

lichen Wächtern des Zeus, die auf der Erde wandelnd, die Rechtssprüche [15] und bösen Taten der Menschen überwachen. Das genügte ihm aber nicht, er führt noch eine Personifikation ein, die Jungfrau Dike, die Tochter des Zeus. Wenn jemand sie schädige, mit krummen Reden (oder Taten) sie kränkend, setzt sie sich gleich neben ihren Vater Zeus und zeigt ihm die Gesinnung der ungerechten Menschen an, damit das Volk für die Übergriffe der "Könige" büsse, welche das Recht mit krummen Sprüchen beugen. Er hatte schon einige Verse vorher die Dike erwähnt in der Ermahnung an Perses, Op. 213 ff., deren Anfang oben S. 195 zitiert wurde. Er fährt fort: Der Eid (Ὅρκος) geht zusammen mit krummen Rechtssprüchen, ein Lärm entsteht, als Dike fortgeschleppt wird, wohin die gabenfressenden Männer sie führen, welche das Recht mit krummen Rechtssprüchen auswählen (σκολίῃς δὲ δίκῃς κρίνωσι θέμιστας); sie folgt weinend über die Stadt und die Sitten der Menschen. Dike ist eine blutlose Personifikation, die zwar oft in der Literatur gefeiert wird, aber nie einen nennswerten Kult erhalten hat.

Dieses Fernsein des Zeus als Hüters des Rechts findet einen Ausdruck in der später aufkommenden Vorstellung, dass die bösen Taten der Menschen auf Schreibtafeln aufgezeichnet werden, die dem Zeus gebracht werden. Der grosse Dichter Aischylos sagt, Eum. 724 f., von Hades, dass er alles δελτογράφῳ φρενί überschaut; dieser Hades ist der Ζεὺς ἄλλος, der Suppl. 230 f. den Gestorbenen das schliessliche Urteil spricht. In einem neugefundenen Fragment, vielleicht aus den Αἰτναῖαι, heisst es, Dike zeichne die Sünden der Menschen auf den Schreibtafeln des Zeus auf.[16] Euripides spricht von dem Glauben, dass die ungerechten Taten zum Himmel emporschweben und auf den Schreibtafeln des Zeus aufgezeichnet werden, die dieser einsieht, um über die Sterblichen zu richten; der ganze Himmel würde aber nicht ausreichen, um die Sünden der Menschen aufzuzeichnen.[17] Nach der griechischen Vorlage des Prologs zum

[15] Das muss δίκαι hier bedeuten. Hesiod beginnt mit einer Hinwendung an die βασιλῆες, die seinen Rechtshandel mit seinem Bruder abgeureteilt hatten.

[16] Oxyrh. Papyri, XX, Nr 2256; s. E. Fraenkel, Eranos, LII, 1954, S. 64 ff., bes. S. 74.

[17] Euripides, Melanippe, fr. 506 Nauck [3].

Rudens des Plautus werden die Sterne auf die Erde hinabgesandt, um die Taten der Menschen aufzuzeichnen, und die Tafeln dem Jupiter gebracht.[18] Das Gericht in der Unterwelt, das Aischylos einmal dem Zeus zuschreibt, wurde ihm genommen und den drei Unterweltsrichtern zugewiesen. In der Unterwelt passte freilich der Olympier nicht, wenn er auch Chthonios genannt wird.

Zeus war mit so vielen anderen Aufgaben beschäftigt und zu stark mit wenig moralischen Mythen belastet, um ein tatkräftiger Hüter des Rechts und der Gerechtigkeit sein zu können. Dieses Amt wurde ihm nur beigelegt, weil kein anderer Gott dafür zu haben war. Er führte es im Nebenamt und brauchte Mittelsmänner, die ihm die Akten brachten, selbst sah er zu wenig. Ich erinnere nochmals an das "wenn er will." Gerechtigkeit gehörte nicht zu seinem innersten Wesen, wie sie zu dem des Jahwe gehörte. Das ergreifende Buch Hiob handelt von dem Problem der Gerechtigkeit Jahwes, das durch das unverdiente Unglück des Hiob entstanden ist. Die Gerechtigkeit Gottes war eben ein Grundproblem in dem religiösen Glauben der Juden im Zeitalter der Propheten. Die Forderung der Gerechtigkeit wurde von den Propheten verkündet und verschärft, sie war ein Hauptstück der Religion. In Griechenland entstand sie auf sozialer und staatlicher Ebene und wurde auf dieser weiter entwickelt.

In dem auf Hesiod folgenden Jahrhundert nahm die Entwicklung einen reissenden Fortgang. In den Städten, die in Handel und Gewerbefleiss grosse Fortschritte machten, kamen Gewaltherrschaften auf, Tyrannen, die die Macht an die Stelle des Gesetzes setzten, in anderen wurde die Forderung laut, die Gesetze aufzuzeichnen, damit man wisse, dass gerecht geurteilt wurde; dabei trat ihre Härte zutage. Die sozialen Übelstände wurden brennend und erheischten eine Reform nicht nur der Staatsgewalt, sondern auch der sozialen Verhältnisse, wie es hauptsächlich aus Athen bekannt ist.

Die literarischen Zeugnisse aus dieser Zeit sind spärlich, aber lehrreich. Snell bemerkt treffend, dass, während Achill von Agamemnon sagt: ὅς μ' ἠτίμησε, der Proletarier-Poet Archilochos

[18] S. meine Gesch. d. griech. Religion, i, S. 775, 2. Aufl. S. 283, bzw. II, S. 186.

von seinem Feind sagt: ὅς μ' ἠδίκησε,[19] und er fügt hinzu, dass hier nur das verletzte Rechtsgefühl und der rechtliche Ausgleich gemeint sei, den immer die Götter herstellen, nicht aber das eigene Rechtshandeln. Dazu spricht Archilochos von dem Wechsel der menschlichen Geschicke, wir kommen darauf zurück unten S. 205. Das vergeltende Recht betont er wie alle Griechen. Er sagt, dass der Vater Zeus, der im Himmel herrscht, nicht nur die Taten der Menschen sieht, sondern dass er sich auch um die ὕβρις und die δίκη der Tiere kümmert.[20] Der Gedanke der Wiedervergeltung wurde von seinem Zeitgenossen Anaximandros auf die ganze Natur ausgedehnt.[21] "Woraus aber das Werden ist den seienden Dingen, in das hinein geschieht auch ihr Vergehen nach der Schuldigkeit; denn sie zahlen einander gerechte Strafe und Busse für ihre Ungerechtigkeit nach der Zeit Anordnung." Die Wiedervergeltung erscheint bei ihm sogar als ein Naturgesetz, die Götter sind ausgeschaltet.

Solon führt in dem Gedicht, das jetzt Eunomia genannt wird und das vor seiner Reform geschrieben ist, die Dike ein. Werner Jaeger hat ihm eine tiefschürfende Untersuchung gewidmet.[22] Er meint, Hesiods Dike sei die reale Rechtsentscheidung, die zwischen der Gottheit und der allgemeinen Idee schwankt, die Dike Solons sei von der menschlichen Rechtsentscheidung völlig unabhängig; auch wo diese versagt, setze sie sich durch. Etwas weniger philosophisch würde ich sagen, dass sie die soziale Gerechtigkeit ist. Aber auch das ist nicht ganz klar. Solon beginnt damit, dass er die Übergriffe der Vornehmen (δήμου ἡγεμόνες) rügt, ihr Sinn ist ungerecht, und auf Grund ihrer grossen Hybris steht ihnen bevor, viele Schmerzen erleiden zu müssen. Weder heiligen noch staatlichen (δημόσιον) Besitz schonend stehlen und rauben sie überall.[23] Sie achten nicht die hohen Fundamente

[19] Ilias, I, 156; Archilochos, fr. 79 a Diehl[3]. B. Snell, Die Entwicklung des Geistes, S. 70 A. 1, bzw. S. 80.

[20] Archilochos fr. 94 Diehl[3].

[21] Anaximandros fr. 1 Diels, ἐξ ὧν δὲ γένεσίς ἐστι τοῖς οὖσι, καὶ τὴν φθορὰν εἰς ταῦτα γίνεσθαι κατὰ τὸ χρεών· διδόναι γὰρ αὐτὰ δίκην καὶ τίσιν ἀλλήλοις τῆς ἀδικίας κατὰ τὴν τοῦ χρόνου τάξιν.

[22] Solon fr. 3 Diehl[3]. W. Jaeger, Solons Eunomie, Sitz.-ber. Akad. Berlin, 1926, S. 69 ff.

[23] Man darf dabei nicht an die Begierden und die Unzufriedenheit des niederen Volkes *nach* der Reform denken.

der Dike. Schweigend weiss sie, was geschieht und geschehen ist, bald kommt sie dann als Rächerin. Die Übergriffe der Vornehmen sind immer strafwürdig. Dass Dike die Untaten der Menschen kennt und dass sie am Ende über die Hybris siegt, steht auch bei Hesiod,[24] und Solon sagt ebenso, fr. 1, 7 f.: ungerechtem Gewinn folgt jedenfalls immer die δίκη, die Strafe, dasselbe säkularisiert ausgedruckt, fr. 24, 3, ἐν δίκῃ χρόνου. Da aber Solon fortfährt: diese eiternde Wunde[25] wird Gewaltherrschaft oder Bürgerkriege mit sich führen — man denke an die Behandlung der Schuldsklaven —, so scheint es, dass die Dike, die Gerechtigkeit, hier eine soziale Note hat und sich auf die soziale Gerechtigkeit bezieht. In die alte Formel ist ein neuer Geist gegossen. Der göttliche Schutz der Gerechtigkeit tritt zurück.

Zeus war der einzige Gott, der, abgesehen von blutlosen Personifikationen, sich der Gerechtigkeit annehmen konnte, sie war aber nicht in seinem Wesen begründet, und schwer wog es, dass die Mythen viele ungerechte Taten von ihm erzählten. Ungerechtigkeit herrschte im Leben der Menschen und wurde oft nicht von der verdienten Strafe getroffen. So fing man an, an der Gerechtigkeit des Weltherrschers zu zweifeln. Theognis, V. 373, wundert sich über Zeus, der über alle herrscht, Ehre und grosse Macht hat, der die Gedanken der Menschen kennt, dessen Kraft allem überlegen ist, und fragt ihn, wie es möglich sei, dass sein Sinn ungerechte Männer (ἀλιτροί) auf denselben Platz stellt wie gerechte, wenn der Sinn der Menschen auf Sophrosyne geht oder auf Hybris der Menschen, welchen ungerechte Taten lieb sind. Zeus war ein mächtiger Gott, seine Waffe war der niederfahrende Donnerkeil, der die Menschen schreckte. Er brauchte ihn aber nicht, um die Ungerechten zu strafen. Dieses Argument war ein gefundenes Fressen für die Polemik der Sophistenjünger gegen den Götterglauben. Aristophanes, Nub. 397, lässt es den Sokrates gebrauchen, um den Strepsiades, der gesagt hatte, dass Zeus mit seinem Donnerkeil die Meineidigen schlägt, eines Besseres zu belehren. "Warum," fragt er, "hat er denn nicht Simon und andere, die schwer meineidig sind, ver-

[24] Hesiod, Op. 256 ff. bzw. 217 f.
[25] Diese Bedeutung hat das Wort ἕλκος oft.

brannt, sondern trifft seine eigenen hohen Tempel und Athens Vorgebirge Sunion und die grossen Eichen?" In dieser Zeit werden wenige in Zeus den Hüter der Gerechtigkeit gesehen haben. Das Problem nahm eine andere Wendung.

Der jähe Wechsel zwischen Glück und Unglück war seit langem ein beliebtes Thema.[26] Archilochos entwickelt es.[27] "Die Götter richten oft aus dem Unglück Männer auf, die auf der dunklen Erde liegen, oft stürzen und werfen sie rücklings solche, die fest stehen." Diese Anschauung war im fünften Jahrhundert sehr verbreitet und ist aus Herodot wohlbekannt, der z.B. von dem Kreis der menschlichen Geschicke spricht, der sich rund herum dreht und nicht immer denselben glücklich sein lässt (i, 207). Das hohe Glück erscheint als eine Überhebung, als Hybris, der Mensch kommt den leicht lebenden Göttern zu nahe, und diese sehen es mit Unwillen, die *νέμεσις θεῶν*, von der so viel gesprochen wird, sie stürzen den Überheblichen ins Elend. Wir Modernen empfinden dabei vielleicht mehr als die Griechen, dass die Götter als Wahrer ihrer Hoheit und Überlegenheit auftreten, nicht als Wahrer der Gerechtigkeit. Man hatte noch nicht das *γνῶθι σεαυτόν* ganz vergessen, das den Menschen verbietet, sich mit den Göttern zu messen.

Der Wechsel der Geschicke wurde von Anaximandros als ein Naturgesetz aufgefasst und fast ebenso von Perikles.[28] So schien er einer den Griechen ebenso geläufigen Vorstellung zu entsprechen, der von der vergeltenden Gerechtigkeit. Je höher das Glück, desto tiefer der Sturz. Es war ein Ausgleich zwischen Glück und Unglück, eine Nivellierung, die den demokratischen Denkgewohnheiten der Zeit nur zu gut passte, da sie ihnen als eine soziale Gerechtigkeit erschien, die der demokratischen Nivellierung diente. Der Mensch kann aber nicht von dem Gedanken loskommen, das hinter dem Wechsel der Geschicke, der ihm unerklärlich erscheint, eine höhere Macht steht. Die persönlichen Götter konnten es nicht sein, sie passten dafür nicht mehr, sie hatten abgewirtschaftet. Das niedere Volk wandte

[26] Zum Folgenden siehe ausführlicher den Abschnitt "Religiöse Lebensanschauung" in meiner Gesch. d. griech. Religion, I, S. 695 ff., 2. Aufl. S. 734 f.

[27] Archilochos, fr. 58 Diehl[3]; die Worte, die auf *τοῖς θεοῖς* folgen, sind heillos korrupt.

[28] Thuk., II, 64, 4.

sich den Kleingöttern und den Heroen zu, die ihm näher standen, die Gebildeten der Philosophie. So kam es, dass als ein letzter Rest des Glaubens an das göttliche Eingreifen in dem Wechsel der Geschicke dies einem Abstraktum, "dem Göttlichen," τὸ θεῖον, zugeschrieben wurde. Wenn einmal Zeus genannt wird, erscheint er so verblasst, dass sein Name nichts mehr bedeutet. Das "Göttliche" ist in religiöser Hinsicht unfruchtbar, es ist am Ende nichts als ein anderer Name des Geschicks, des Fatum, und wurde mitunter durch die Zeit, χρόνος, ersetzt, in hellenistischer Zeit durch die Tyche. Dieses Abstraktum, "das Göttliche," war ein frostiger Begriff, unzugänglich für Gebet und Bitten, den die Nöte und Sorgen der Menschen nichts angehen. Das Band, mit dem man die Gerechtigkeit mit den Göttern zu vereinen versucht hatte, war vollends zerrissen, die Philosophie nahm sich der Gerechtigkeit an.

In der hellenistischen Zeit verschwand das hier erörterte Problem aus dem religiösen Gesichtskreis. Die alten Götter waren nicht mehr die Aufrechterhalter der Weltordnung. Man huldigte dem Zufall, Tyche, und buhlte um die Gunst der Herrscher und der Römer.

## Anhang: Themis

Der ursprüngliche Sinn des Wortes θέμις und der Göttin Θέμις wurde vor einigen Jahren zuerst von Hirzel und dann von Ehrenberg [29] untersucht. Ihre Ansichten sind verschieden. Nach Hirzel ist θέμις "Rat" und Θέμις die Göttin des guten Rates. Er gibt S.36 f. zu, dass θέμις in einer späteren Zeit die Anwendung von Gesetzen, die Äusserung eines Willens und θέμιστες Orakel sind. Nach Ehrenberg ist dies der ursprüngliche Sinn. Er sucht eine Entwicklung der Bedeutung des Wortes aufzuweisen: Ursprünglich bezeichnete es Orakel, göttliches Gebot, eine Äusserung des Willens eines Gottes, dann ein Gebot des Königs, der von einem Gott inspiriert war. Bei Homer ist es die Norm der Adelsethik, bei Hesiod ist die Bedeutung wechselnd und bei späteren Dichtern verblasst. Seine Erklärung der Göttin Themis

[29] R. Hirzel, Themis, Dike und Verwandtes, 1907. V. Ehrenberg, Die Rechtsidee im frühen Griechentum, 1921.

S. 48 ff. ist phantastisch. Der Omphalos, der Erdhügel sei die erste Form der Göttin, sie sei eine alte Erdgöttin.

Ich kann mir keine von diesen beiden Erklärungen aneignen. L. Schmidt war der Wahrheit näher: "*θέμις* ist die Gebühr, und es erscheint darin das von den Göttern Gebotene mit dem durch die menschliche Sitte Geheiligten unlösbar verbunden." [30] So erklärt sie auch Miss Harrison als "the collective conscience, the social sanction." [31] *θέμις* ist die Norm für das Betragen des Menschen, für sein Zusammenleben mit anderen, und dieses ist göttlichem Schutz unterstellt. Sie ist das Normative, das sich Gebührende, das Geziemende. Solche Normen finden sich bei allen primitiven Völkern.

Ich kann nicht das Problem so ausführlich wie die beiden genannten Gelehrten erörtern, ich muss mich damit begnügen, gewisse Stellen bei Homer und Hesiod zu besprechen, die von besonderer Wichtigkeit sind. An zwei z.T. identischen Stellen heisst es, dass Zeus dem Agamemnon das Szepter und die *θέμιστες* gegeben hat, damit er für das Volk entscheide.[32] Ein anderer Vers spricht von dem Szepter, das die Richter (*δικασπόλοι*) tragen, welche die *θέμιστες* aufrecht erhalten.[33] Diese *θέμιστες* sind nicht Äusserungen des Willens des Königs oder der Richter, sondern die Normen, nach denen sie handeln oder Urteile sprechen. Wenn Agamemnon dem Achill verspricht, ihm sieben Städte zu geben, deren Einwohner ihn als einen Gott mit Gaben ehren und unter seinem Szepter ihm reiche *θέμιστας* bringen werden,[34] bedeutet *θέμιστες* offenbar Abgaben. Eine Norm muss nicht immer auf alter Überlieferung beruhen, sie kann auch von einem Herrscher auferlegt werden. Ohne solche Normen würde eine Verwaltung unmöglich sein, Verwirrung und Gewalt würden die Folge sein auch in ganz primitiven Verhältnissen. Die einwandernden griechischen Eroberer mussten, als sie eine Art von Staatsgebilde aufrichteten, z.B. das mykenische Königtum und andere Fürstentümer, ihr Verhältnis zu der unter-

[30] L. Schmidt, Die Ethik der Greichen, I, S. 337, zitiert von Hirzel, S. 19 A 1.
[31] J. E. Harrison, Themis, S. 485.
[32] Ilias, ii, 206; ix, 99. *σκῆπτρον ἠδὲ θέμιστας, ἵνα σφίσι βουλεύησθα.*
[33] Ilias, i, 238 f., *ἐν παλάμαις φορέουσι δικασπόλοι, οἵ τε θέμιστας πρὸς Διὸς εἱρύαται.*
[34] Ilias, ix, 156 f. = 297 f., *λιπαρὰς τελέουσι θέμιστας.*

tanen Bevölkerung einiger massen regulieren, sie musste ihnen Abgaben zahlen.

Die Stelle, welche sagt, dass Patroklos den verwundeten Eurypylos traf, wo die *ἀγορά τε θέμις τε* und auch die Altäre der Götter waren, Ilias, xi, 807 f., führt uns die Elemente des griechischen Staates vor, die alten Normen und die Entscheidungen der Volksversammlung. Dies kehrt wieder in der Schilderung der Kyklopen in der Odyssee, ix, 112 f., sie haben weder *ἀγοραὶ βουληφόροι* noch *θέμιστες*, weder Versammlungen, in denen diskutiert und Entscheidungen getroffen werden, noch soziale Normen, sondern ein jeder *θεμιστεύει* über seine Kindern und Frauen, und sie kehren sich nicht an einander. Dieses Verb erscheint sonst nur noch einmal,[35] wo Minos den Toten Richtersprüche erteilt, das Wort hat hier denselben Sinn wie *θέμιστες* an der eben zitierten Stelle: Minos spricht Recht nach den Normen. Das Verb ist aber hier mit dem Dativ konstruiert, an der oben angeführten Stelle von den Kyklopen mit Genitiv. Daraus folgt eine Bedeutungsverschiebung, das Wort nähert sich der Bedeutung "herrschen." Es ist verständlich, dass wer die Normen in die Tat umsetzt, als ein Herrscher betrachtet wird.

Die Stelle, in der die Bedeutung "Orakel" am wahrscheinlichsten zu sein scheint, ist Odyssee, xvi, 400 ff., wo Amphinomos zu den Freiern spricht: "Ich möchte nicht den Telemachos töten, denn es ist schrecklich, einen aus königlichem Geschlecht zu töten. Zuerst wollen wir die Ratschläge der Götter erfragen (*θεῶν εἰρώμεθα βουλάς*). Wen die *θέμιστες* des grossen Zeus zustimmen, werde ich ihn selbst töten und die anderen alle dazu auffordern; wenn aber die Götter abmahnen, fordere ich euch auf davon abzustehen." Amphinomos wird ein verständiger Mann genannt. Offenbar billigt er nicht das Vorhaben der Freier, Telemachos zu töten. Er sagt, dass eine solche Tat schrecklich ist und schlägt vor nach den *θέμιστες* des grossen Zeus zu fragen. Auch hier reicht die Bedeutung "Normen, welche das Zusammenleben der Menschen regulieren," aus. Die Freier werden ermahnt, nach ihrem Sinn zu fragen, sie sich klar zu machen. Es ist durchaus unnötig anzunehmen, dass sie das An-

[35] Odyssee, xi, 569, *χρύσεον σκῆπτρον ἔχοντα θεμιστεύοντα νέκυσσιν.*

fragen bei einem Orakel meinen, auch wenn natürlich das Orakel die göttlichen Normen verkündet. Es ist deutlich, dass die Normen, die den Menschen bekannt sind, wenn richtig verstanden, eine solche Tat verhindern.

Schliesslich komme ich zu der merkwürdigen Stelle,[36] in der beschrieben wird, wie Zeus einen Regensturm sendet, den Männern zürnend, die auf dem Volkversammlungsplatz krumme θέμιστας auswählen, die Gerechtigkeit austreiben und sich um die Götter nicht kümmern. Wenn etwas in Homer spät ist, so ist es diese Stelle, sie ist weit mehr hesiodeisch als homerisch.[37] Hesiod spricht von Männern, welche durch krumme Urteilssprüche θέμιστας auswählen.[38] Gemeint ist ein Gerichtsverfahren, bei dem nach unrichtig ausgewählten Normen geurteilt wird. Die Gesetze waren noch mündlich überliefert, die θέμιστες waren ein Teil von ihnen und Normen für das Urteilssprechen. Es gab Gerichte, eins ist beschrieben in der Ilias, xviii, 497 ff. Andrerseits, sagt Hesiod, wählt der Mann, den die Musen lieben, θέμιστας aus mit gerechten Urteilssprüchen, Theog. 85 f. Sein ungerechter Bruder wird Op. 9 ermahnt δίκῃ δ' ἴθυνε θέμιστας. Was von Nereus gesagt wird,[39] hat denselben Sinn; sie nennen ihn den Alten, weil er wahrhaftig und mild ist und die θέμιστας nicht vergisst, sondern milde und gerechte Ratschläge weiss. Die Worte zeigen, dass nicht Prophezeiungen gemeint sind. Was von den Menschen des silbernen Zeitalters gesagt wird, dass sie weder die unsterblichen Götter verehren wollten noch auf ihren heiligen Altären opfern, was doch den Menschen rechtens ist in ihren Wohnsitzen (oder nach Sitte und Brauch),[40] ist eine einfache allgemeine Aussage. θέμις bedeutet hier einfach "das sich Gebührende."

Die Etymologien, welche die beiden Gelehrten ausführlich dis-

[36] Ilias, xvi, 384 ff., οἳ βίῃ εἰν ἀγορῇ σκολιὰς κρίνωσι θέμιστας.

[37] Ehrenberg, a. a. O. S. 69 f. bemerkt dies richtig und führt wörtliche Parallellen bei Hesiod an.

[38] Hesiod, Op. 221, σκολιῇς δὲ δίκῃς κρίνωσι θέμιστας.

[39] Hesiod, Theog. 234 ff., οὔνεκα νημερτής τε καὶ ἤπιος, οὐδὲ θεμιστέων λήθεται, ἀλλὰ δίκαια καὶ ἤπια δήνεα οἶδεν.

[40] Hesiod, Op. 135 ff., οὐδ' ἀθανάτους θεραπεύειν ἤθελον οὐδ' ἔρδειν μακάρων ἱεροῖς ἐπὶ βωμοῖς, ἣ θέμις ἀνθρώποις κατὰ ἤθεα. Die Deutung Ehrenbergs a. a. O. S. 17, dass der Kult an verschiedenen Orten verschieden sei, ist nicht begründet. Das Wort hat dieselbe Bedeutung Theog. 396, Scut. 22, 447.

kutieren, helfen, wie so oft, nicht, sie sind alle sehr unsicher. Die Kulte und Mythen der Göttin Themis tragen wenig zum Verständnis des Problems bei. Im Allgemeinen sind sie spät, bei einigen ist das sehr deutlich. Später war θέμις ein nur halb verstandenes Wort, das verschieden gebraucht wurde, deswegen um so ehrwürdiger. Themis war eine ehrwürdigere Göttin als die neugeschaffene Dike.

# VICTOR AND INVICTUS *

STEFAN WEINSTOCK
EXETER COLLEGE, OXFORD, ENGLAND

1. *The Problem.*

When I set out to survey the history of these epithets I did not expect to find anything of particular interest. But soon the following points which required an explanation emerged.

1) Victor and Invictus were not from the beginning significant terms of Roman life. The victorious general was acclaimed not Victor but Imperator, and the victorious entry was called triumphus which is a foreign term and not a derivative of the verb vincere.

2) Victor as epithet of gods is relatively late. The first temple of Iuppiter Victor was vowed in 295 B.C. during the Samnite wars. Before that date and even afterwards it was another Iuppiter, Iuppiter Feretrius and above all Iuppiter Optimus Maximus who was concerned with war and victory. Why then so late and why exactly at that time?

3) It was about the same time that Victoria received her first temple in Rome on the Palatine. She had an early ancestress in Vica Pota who, however, remained archaic and insignificant. But this new foundation dedicated to the personification of victory had become popular in no time. Why did this sudden interest in Victoria arise and why did it coincide not only with the interest in Iuppiter Victor, but also with that in Mars, Bellona, Iuppiter Stator and Hercules? Victoria appeared with the features of Nike: but Nike had no cult and no temple of her own in the Greek world.

4) Why did Hercules, who was in the first place the protector of peaceful enterprise in Italy, of commerce, travel, etc., receive the epithets Victor and Invictus and achieve an unparalleled popularity? Heracles Kallinikos was not so frequent in Greece, and Heracles Aniketos was even less so.

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5) And finally why did victorious generals just build temples to these divinities, as also to Mars Victor, Venus Victrix, Minerva Victrix and others, but did not claim these epithets for themselves? They were often called victor and invictus, and, what is more important, a certain philosophy of the victor implying clemency and many other things was developed as early as the third century B.C. if not earlier. But even the emperors did not receive the epithet Invictus officially until Commodus and the epithet Victor not until the age of Constantine.

2. *Alexander the Invincible and the Victorious Seleucids.*

These were the main questions, and I could not find the answers to them for a long time, that is as long as I limited my attention to the Roman evidence. The peripeteia came about when I discovered a footnote in Professor Nock's article on the Σύνναος Θεός. It concerns one of the much debated honors of Caesar in 45 B.C. after the victory of Munda, the dedication of his statue in the temple of Quirinus with the inscription Deo Invicto (Θεῷ Ἀνικήτῳ). Now in that footnote Nock compared a passage of Hyperides according to which in 324 B.C. it was proposed in Athens to erect the statue of Alexander the Invincible God (. . . στῆσαι εἰκόνα Ἀλεξάνδρου βασιλέως τοῦ Ἀνικήτου Θεοῦ . . .).[1] This passage is clearly of great importance for the interpretation of the honor decreed by the senate in 45, and I noticed with surprise that it was ignored in the debate about Caesar. But the passage is of even greater importance for my present subject. It led me to the conviction that the history of the terms Victor and Invictus does not begin in Rome but in the Greek world and with Alexander.

It begins as early as 336 B.C. in Delphi where the Pythia refused to give him an oracle on a forbidden day. When Alexander pulled her by force towards the sanctuary she exclaimed: Ἀνίκητος εἶ, ὦ παῖ. Alexander replied that that was all he wanted to know and departed.[2] If this is just an anecdote it must have been Alexander who propagated it from the beginning. He wanted to be

[1] Nock, HSCP 41, 1930, 2, 1; Hyperid. or. 1, col. 32, 5; Cass. Dio 43, 45, 2.
[2] Plut. Alex. 14, 7; on the different versions of this story see Tarn, Alexander the Great 2, 338 ff. (with bibliography).

considered the invincible conqueror, and that with the support of the oracle. After the battle at Gaugamela, 331 B.C., he called a mountain Νικατόριον ὄρος and after his victory over Poros at the Hydaspes, 326 B.C., he founded the city of Nikaia.[3] But these incidents are less important than his request to the Greek cities in 324 after his Indian campaign to provide him with divine honors,[4] and it was this request that was answered in Athens with the decree about the statue of Alexander, the Invincible God. It cannot be doubted that this decree was executed: it receives strong support from the evidence about Caesar. Nor can it be doubted that the epithet was in accordance with Alexander's own wishes: the kings of Bactria soon adopted it,[5] and the Seleucids were inspired by it to create their own epithet.

The idea of the invincible king might have disappeared but for the initiative of Seleucus I Nikator. It is a strange fact that the other Diadochi did not adopt this or any similar title; [6] and it is equally strange that Seleucus changed the term although he meant to follow Alexander. It is explicitly stated that he received his title for his victories, either at Gaza, 312 B.C., or at least at Ipsus, 301 B.C.[7] There was a temple of Zeus at Daphne near Antioch with an image holding Nike on his hand, a copy of Zeus Olympius of Phidias which is often represented on the coins of the Seleucids: it is probable that this temple was built by Seleucus Nicator.[8] He founded at Europus in Syria the city Νικατορίς (Steph. Byz.), and the sacred enclosure erected at his tomb was called Nikatoreion.[9] An inscription of c. 180 B.C. calls him

[3] Strab. 16, 1, 4, p. 737; 15, 1, 29, p. 699; O. Stein, RE 17, 244; J. Sturm, RE 17, 283; cf. the Mons Victorialis of the Magi, Zoroastr. fr. S 12, Bidez-Cumont, Les Mages hellénisés 2, 119.

[4] Aelian. var. hist. 2, 19, etc.; Nock, JHS 48, 1928, 21 f.; Tarn, Alexander the Great 2, 370; for the view that Alexander did not take the initiative see Balsdon, Historia 1, 1950, 383 ff.

[5] The evidence rests on the coinage: cf. Head, HN 837; 840 ff., and for a full discussion Tarn, The Greeks in Bactria and India 76 f.; 132; 229; 314.

[6] The cult of Dionysus in Egypt and the title of a Neos Dionysos adopted by the dynasty of the Ptolemies, however, equally represented the claim to the succession of Alexander.

[7] App. Syr. 57, 293 γενομένῳ δὲ αὐτῷ τὰ ἐς πολέμους ἐπιτυχεστάτῳ Νικάτωρ ἐπώνυμον γίγνεται. Euseb. Chron. Armen. p. 117 K. (Porphyr., FGrHist. 260 F 32 Jacoby); Amm. Marc. 14, 8, 5; 23, 6, 3; Iustin. 17, 2, 2.

[8] Iustin. 39, 2, 5 f.; Amm. Marc. 22, 13, 1; Babelon, Rois de Syrie, p. xxx; L. Lacroix, BCH 73, 1949, 163 f.

[9] App. Syr. 63, 336.

Σέλευκος Ζεὺς Νικάτωρ[10] and mentions a priest of his; he had a cult at Dura with a priest towards the end of the second century A.D.[11]

Seleucus' son was Antiochus I Soter, but in Persia he was also called Antiochus Nikator;[12] his grandson was Seleucus II Kallinikos.[13] Antiochus IV Epiphanes is styled on coins after 166 B.C. Nikephoros. To cut the story short it will be enough to quote the following facts. There was Demetrius II Nikator; his son was Antiochus VIII Epiphanes Philometor Kallinikos who had three children, two sons, Seleucus VI Epiphanes Nikator and Antiochus XII Dionysos Epiphanes Philopator Kallinikos, and a daughter, Laodike, who married Mithridates I of Commagene who was then called Kallinikos.[14]

As to the origin of the idea we can only refer to the two favorite gods of the Macedonian dynasty, Heracles and Dionysus.[15] Both were conquerors from the beginning. About Heracles no evidence is necessary, and for Dionysus it is enough to refer to the first lines of Euripides' Bacchae. But it is important to add that they had become the prototypes of the irresistible victors and conquerors through and after Alexander: their later history was transformed under the influence of Alexander's achievement.[16] When Alexander claimed to be Aniketos he wanted to appear as another Heracles. But Heracles was called Kallinikos after him more often than before him, and for Heracles Aniketos there is no evidence earlier than Alexander — if I disregard loose poetical usage.[17] And that this new Heracles is essentially political is

[10] Or. gr. 245, 10; cf. Stähelin, RE 2A, 1233 for the view that he received the epithet after his death; contra, Wilamowitz, Glaube d. Hell. 2, 269; Bikerman, Institutions des Séleucides 242 ff.

[11] P. Dura 23 . . . ἐπὶ ἱερέων . . . βασιλέως δὲ Σελεύκου Νικάτορος . . . : cf. Rostovtzeff, JHS 55, 1935, 56; id., Mélanges Dussaud 1, 284 ff.; Bikerman 244.

[12] Wilcken, RE 1, 2451; Head, HN 838; Bikerman 242; cf. Lucian. Zeux. 11; App. Syr. 65, 343.

[13] Cf. Stähelin, RE 2A, 1237; W. Otto, Abh. Münch. 34, 1, 1928, 71.

[14] For the evidence see the works of Head, Babelon, and Bikerman. There is no evidence from the other kingdoms, except perhaps from Pergamum where Attalus I seems to have been called ὁ Γαλατονίκης, Suid. s.v. Νίκανδρος; A. Reinach, REG 26, 395.

[15] Cf. e.g. W. Baege, De Macedonum sacris 77 ff.; 184 ff.

[16] Tarn, Alexander the Great 2, 45 ff.; 358.

[17] Tyrt. 8 (11), 1 D.; Tarn 2, 343.

proven by the terminology of the Seleucids and even more by the Roman version, Hercules Victor and Invictus.

3. *The New Gods of Victory in Rome.*

Now to Rome of the time of the Samnite wars. It was a curious period of Republican history: never before and only once later, after the Second Punic war, were so many temples built as about 300 B.C.[18] A statue of Victoria erected in the Forum sometime at the beginning of these wars was, as far as we know, the first of its kind.[19] It is mentioned among the prodigies of 296 B.C.: it was found standing on the ground instead of on its base and turned towards the direction where the Gauls were attacking, which was according to the haruspex Manius a favorable sign for the conduct of the war.[20] The temple of Victoria on the Palatine must have been begun before that date but was long delayed and was not dedicated until 294.[21] A statue of Hercules, perhaps of Hercules Magnus, was erected on the Capitol in 305.[22] In 295, in the battle of Sentinum, the consul Q. Fabius Maximus vowed the temple of Iuppiter Victor: it was built on the Palatine, probably in the neighborhood of the temple of Victoria.[23] How

[18] See the survey in Wissowa, Religion 594 f. and the discussion in W. Hoffmann, Rom u. die griech. Welt im 4. Jhdt., 1934, 84 ff.; 93.

[19] Other early evidence concerns the grove and altar of Victoria on the Palatine ascribed by Dion. Hal. 1, 32, 5 to Euander: it was probably the place where the temple was built, and if so, this was also its real date. — Dion. Hal. 1, 15 further mentions the cult of a 'Nike' at the lacus Cutiliae near Reate: Preller, Ausgew. Aufsätze 264 identified this 'Nike' with the Sabine Vacuna who was explained by Varro as Victoria; the cult may be early but it is not necessarily identical with that of Victoria. — A 'Victoria' from the pediment of the temple of Iuno at Falerii, fourth century B.C., now in the Villa Giulia (Helbig-Amelung 2, 346; A. Andrén, Architectural Terracottas from Etrusco-Italic Temples 1940, 152) may be just one instance for the widespread Etruscan version of the Greek custom of decorating the pediment of their temples with statues of Nike. — For Capua there is the evidence of Cicero div. 1, 98 if it is to be connected with the early coinage, Head, HN 33 ff. — The first epigraphic evidence for Victoria comes from Praenestine mirrors and *cistae*, CIL 1, 550; 557; 563 f.; 568; 2498, and then from the territory of the Marsi, CIL 1, 387; 388 (Dessau 3814).

[20] Cass. Dio 8, frg. 36 (1, p. 105 Boiss.) = Zonar. 8, 1, 2. Pais, Ricerche sulla storia di Roma 4, 190 f. and Münzer, RE 14, 1538 would change Manius into Marcius.

[21] Livy 10, 33, 9; Münzer, RE 22, 935.

[22] Livy 9, 44, 16 eo anno Sora, Arpinum, Cesennia recepta ab Samnitibus; Herculis magnum simulacrum in Capitolio positum dedicatumque: here I would change magnum into Magni, cf. the aedes Herculis Magni Custodis in circo Flaminio since 218 B.C. which was restored by Sulla, Ovid. fast. 6, 212; Wissowa, Religion 276.

[23] Livy 10, 29, 14; for further details see Platner-Ashby s.v. The same Fabius

is this second foundation to be explained? Livy records that a year earlier, in 296, the Ogulnii placed a statue of Iuppiter on a quadriga in the pediment of the Capitoline temple. It is a persuasive suggestion of Mattingly's that it is this statue which was later reproduced on the Roman silver coins, the quadrigati, though here Iuppiter is followed by Victoria which is not mentioned by Livy.[24] If so, this statue represented Iuppiter Victor in anticipation of the temple which was promised him in the following year: the Ogulnii and Fabii were closely connected families. And Iuppiter Victor was then just the god who had Victoria always with him. In 294 the temple of Victoria was dedicated. In 293 the Romans in virtue of their successes wore laurel wreaths for the first time at the games and presented the victors with a palm branch.[25] This is another event which was, as Wolters recognized, commemorated in the Roman coinage, on the first didrachm.[26] So Nike with all that belonged to her found her entry into Rome. Other foundations seem to have been inspired by these although we are not always able to produce a clear date or sufficient proof. We do not know the date of Mars Victor and Mars Invictus, but it cannot have been very much later.[27] Mars was the principal god of war, and the dance of the Salii, in its origin perhaps a celebration of victory, was performed as part of his cult.[28] In 278 a supplicatio was held in his honor because victory was ascribed to his intervention in the battle; the soldiers wore on this occasion,

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Maximus reorganized as censor in 304 the transvectio equitum (Liv. 9, 46, 15; Val. Max. 2, 2, 9; Vir. ill. 32, 3), an annual festival in honor of the Dioscuri on 15 July in commemoration of the victory at the Lake Regillus.

[24] Livy 10, 23, 11 eodem anno Cn. et Q. Ogulnii aediles curules . . . Iovemque in culmine cum quadrigis . . . posuerunt; Münzer, RE 17, 2065; Milne, JRS 28, 72; 36, 98; Mattingly, JRS 35, 73 f.; Grueber, Coins of the Roman Republic 2, 132 ff.; Sydenham, The Coinage of the Roman Republic 5 f.

[25] Livy 10, 47, 3 eodem anno coronati primum ob res bello bene gestas ludos Romanos spectarunt palmaque tum primum translato e Graecia more victoribus data.

[26] Grueber 2, 126 f.; Sydenham 2 f.; Milne l.c.; Mattingly 69; Wolters, Festschr. f. H. Wölfflin 17; W. Giesecke, Italia Numismatica 187 and Antikes Geldwesen 139.

[27] Mars Victor: The festival of 1 March (Lyd. mens. 3, 22; 4, 42; Calend. Philocal.; CCAG 9, 1, 131), belonged, as the Feriale Duranum proved (R. O. Fink, Yale Class. St. 7, 82), to Mars Victor, who is also mentioned in the AFA 124. — Mars Invictus: Fast. Venus. 14 May; Wissowa, Religion 146; Dess. 8935.

[28] Wissowa 555.

as in 293, laurel wreaths.[29] Mars belongs to this context also because he was always closely associated with Victoria and Bellona.[30] The temple of Victoria has just been mentioned; the first temple of Bellona was vowed in 296 by Appius Claudius Caecus.[31] We can deal with Hercules Victor and Invictus in the same manner: again, the exact date is unknown. But he was in such functions closely related to Mars,[32] and the Salii of Tibur danced in honor of Hercules Victor, again in commemoration of a victory.[33] I shall return to Hercules presently (below p. 223); for the moment this evidence is sufficient. We observe that the Romans at that time built many temples, preferably to the gods of war and victory. Did they build them on their own account or had the fame of Alexander the Invincible already reached Rome? Is there any relation between the temples of Iuppiter Victor and Victoria and the fact that about the same time the first Seleucus called himself Nicator and erected a temple of Zeus with an image holding Nike?

These questions can be answered only gradually. And we begin to answer them with an interlude or reverse, the victories of Pyrrhus at Heraclea and Ausculum. Pyrrhus offered his thanksgivings to the Zeus of Dodona (Syll. 392) and probably erected a statue of Nike at Tarentum [34] but acknowledged the real position in the epigram set up in the temple of Zeus in Tarentum and preserved by Ennius in translation, A. 192 V.: "qui antehac/invicti fuere viri, pater optime Olympi,/hos ego pugna vici victusque sum ab isdem." [35] We may thus assume that the Romans at that time claimed to be invincible and that this was Pyrrhus' answer to

[29] Val. Max. 1, 8, 6 . . . supplicatio Marti est habita et a laureatis militibus magna cum animorum laetitia oblati auxilii testimonium ei est redditum; Wissowa, Religion 147, 3.

[30] Mars, Bellona, and Victoria mentioned together: Plaut. Amph. 42 f.; Varr. Ant. rer. div. 14, frg. 90 Ag.; without Bellona e.g. in the cult of the Arvals, Henzen, AFA 86; 125; on inscriptions: Dess. 2555; 3159; 4576; etc.

[31] Livy 10, 19, 17; 21 who calls her on this occasion victrix.

[32] Macrob. Sat. 3, 12, 6 et sane ita Menippea Varronis adfirmat, quae inscribitur Ἄλλος οὗτος Ἡρακλῆς (frg. 20 B.), in qua, cum de Invicto Hercule loqueretur, eundem esse ac Martem probavit; Serv. Aen. 8, 275; cf. Schilling, Rev. phil. 68, 1942, 31 ff.

[33] Macrob. Sat. 3, 6, 11 ff.; Serv. Dan. Aen. 8, 285.

[34] A. Reinach, Neapolis 1, 1913, 19 ff.; Wuilleumier, Tarente 117.

[35] I do not hesitate to use these verses although it is not certain that they are by Ennius or that they correctly render the epigram of Pyrrhus because the verdict

their claim; or that the symbols and terms to which the Romans had access were accessible also to Pyrrhus.

The principal feature of the third century is the increasing popularity of Victoria. The evidence rests on the early Roman coinage and is impressive. One type of the first didrachm shows on the reverse Victoria fastening a palm-branch to a wreath, a clear reference to the Samnite wars (above p. 215). The second didrachm, the quadrigatus, shows on the reverse Iuppiter on a quadriga with thunderbolt and sceptre, behind him Victoria, another reference to the Samnite wars. Of the following coins the victoriatus shows Victoria standing and crowning a trophy; the denarius Victoria on a biga or flying over the Dioscuri or a prow, etc. I need not go further, nor need I take sides in the debate about the chronology of early Roman coinage. What I need is clear enough. In the third century Victoria, the new goddess, was popular in Rome, as popular as the most prominent of the old gods who appear on the other coins.

4. *The Theory of Victory.*

Who was this Victoria and what did she mean to the Roman State? It would be wrong to say that she was just Nike because the Greek goddess was borrowed for her representation in art and literature. The difference between the two is in fact revealing. Nike was unknown to Homer and, however popular she was later in poetry and especially in art, she never received a cult and a temple. It was Athena who was worshipped in the temple of Athena Nike on the Acropolis of Athens, and Phidias placed the image of Nike in the hand of Athena in the Parthenon and in the hand of Zeus at Olympia.[36] People prayed often enough for victory, but the prayer was never directed to her.[37] Victoria on

about the 'Pyrrhic victory' was established early, cf. Fest. 197 M. (214 L.) 'Osculana pugna'; A. Otto, Sprichwörter der Römer 260. The ambiguous oracle of Delphi (Enn. A. 179 V. Aiio te Aeacida Romanos vincere posse) followed later as probably did the elaboration of Ap. Claudius Caecus' famous speech against Pyrrhus in the senate in 280 B.C., Or. Rom. frg. 4–11 Malcovati.

[36] Soph. Philoct. 134; Eur. Ion 454 ff.; 1529; etc.; for a full discussion see Bulle, Myth. Lex. 3, 305 ff.; Sikes, CR 1895, 280 ff.; Bernert, RE 17, 285 ff.; L. W. Daly, Studies presented to D. M. Robinson 2, 1124 ff.

[37] "Um sie hat mancher gebetet . . . , an sie hat es niemand im Ernste getan" (Wilamowitz, Glaube d. Hell. 2, 180). An examination of the list given by Bulle, Myth. Lex. 3, 311 f. confirms this verdict. Alexander's altars and sacrifices to

the other hand received a temple, cult, and festival right from the beginning; she received another temple in 193 B.C. from M. Porcius Cato,[38] and in imperial times the principal place of cult was her altar in the Curia Iulia. There is explicit evidence about prayers directed to her,[39] she is often mentioned as an equal of the other gods in the Acts of the Arvals,[40] etc. So if she appears on Roman coins and among votive offerings she may look like Nike but her standing must be different.

What she stood for may become clear from the Roman concept of victory. First the definition of a victor may be mentioned. The title of a victor depends not only on the victory, but also on the admission of the defeated. So already Ennius, A. 493 V.: "qui vincit non est victor nisi victus fatetur." [41] This doctrine grew as the Roman power grew. It was said for instance that not only the Romans, but also the Trojans remained invicti in this sense.[42] It was not a single battle that mattered but the whole

'Minerva' and 'Victoria' in India (Curt. 8, 2, 9; 8, 11, 41) were in fact due to Athena Nike (cf. 4, 13, 48). It is no real evidence either if Antiochus I Soter once instituted collective prayers to Apollo, Nike, Zeus, and all the other gods (Or. gr. 219, 27 f.). There were temples of Nike in Tralles, Aphrodisias, Olbia, and the island Carpathus but the evidence is not earlier than the Roman period, and this must then be their date.

[38] Temple of Victoria Virgo on the Palatine, Livy 35, 9, 6; a hundred years later reference was made to the goddess on coins of the family with the legend Victrix, Mommsen, Gesch. d. röm. Münzwesens 572; Grueber 2, 303; 574.

[39] Cic. fam. 6, 7, 2 (Aulus Caecina, December 46) nemo nostrum est, ut opinor, quin vota victoriae suae fecerit, nemo quin etiam cum de alia re immolaret eo quidem ipso tempore ut quam primum Caesar superaretur optaret (Nock, Gnomon 27, 1955, 564, 3); Tert. nat. 1, 12 Victorias ut numina, et quidem augustiora quanto laetiora, veneramini; Apol. 16, 7 sed et Victorias adoratis in tropaeis . . . On the prayers and sacrifices performed in the Curia Iulia at the altar of Victoria see below n. 162.

[40] Henzen, AFA 72 f.; 124 f.

[41] Cf. Livy 4, 10, 3 fatentes victos se esse et imperio parere; 42, 47, 8 eius demum animum in perpetuum vinci, cui confessio expressa sit se neque arte, neque casu, sed collatis comminus viribus, iusto ac pio bello esse superatum; 3, 28, 10; 36, 45, 6. This recognition could be made not only after but also before the decisive battle and could lead to the surrender, i.e. dare se in fidem p. R., e.g. Livy 7, 30, 20 adnuite, patres conscripti, nutum numenque vestrum invictum Campanis; cf. Polyb. 20, 9 f.; 36, 4, 2; Livy 7, 31, 4; 6, 34, 7; 37, 1; 38, 8; Dittenberger, Syll.[3] 618; Heinze, Vom Geist d. Römertums 41; Heuss, Die völkerrechtlichen Grundlagen d. röm. Aussenpolitik 60 ff.; Piganiol, Rev. internationale des droits de l'Antiquité 5, 1950, 339 ff.

[42] Serv. Dan. Aen. 11, 306 Varro (where?) et ceteri invictos dicunt Troianos, quia per insidias oppressi sunt: illos enim 'vinci' adfirmant, qui se dedunt hostibus.

war.[43] It led to the corresponding epithets, Victorious and Invincible, of Rome, the Roman people, and the legions.[44]

Secondly, the victor has his rights and his duties. He can force his name, law, language, customs, etc. on the defeated.[45] His principal duty is clemency which was accepted not out of sentimentality or under the influence of Greek philosophy, but in the course of long political experience.[46] We can trace it back to the third century B.C. but it must have been much older. It was later incorporated in Stoic teaching [47] and was endlessly repeated in the age of Caesar, Augustus and later.[48]

There is a third development, victoria denoting more than a victory: a political situation created by it. It may have been as early as the theory just mentioned on which it apparently depends; it is first found in the historiography hostile to Sulla. Victoria means in this context his dominatio (which is more frequently mentioned) and all that results from it, e.g. Sall. Cat. 21, 4 "admonebat multos victoriae Sullanae, quibus ea praedae fuerat"; 37, 6 " . . . memores Sullanae victoriae. . . (9) quorum victoria Sullae parentes proscripti, bona erepta, ius libertatis inminutum erat." In February 49 Cicero referred to Caesar's "diuturnitas victoriae et dominationis" (Att. 7, 22, 1), and Caesar himself wrote a month later after releasing the prisoners at Corfinium to Oppius and Balbus: "temptemus hoc modo . . . omnium voluntates recuperare et diuturna victoria uti, quoniam reliqui crudelitate odium effugere non potuerunt neque victoriam diutius

[43] Lucil. 613 M. ut Romanus populus victus vi et superatus proeliis/saepe est multis, bello vero numquam, in quo sunt omnia.

[44] Livy 9, 17, 3; 9, 18, 7; Polyaen. 1, 1; Anth. Pal. 9, 647; Lucan. 3, 334; Jos. bell. Iud. 2, 362; Anth. lat. 462, 5 R.; Tac. ann. 2, 25, 5; Gernentz, Laudes Romae 1918, 90; Ritterling, RE 12, 1371.

[45] Verg. Georg. 4, 561 (Augustus) . . . victorque volentis/per populos dat iura. . . ; Tac. Germ. 2 . . . ut omnes primum a victore ob metum . . . Germani vocarentur; Serv. Aen. 4, 618 . . . propter perditam linguam, habitum, nomen, quae solet victor imponere . . . ; 1, 6 novimus quod victi victorum nomen accipiunt. potuit ergo victore Aenea perire nomen Latinum. . . ; Sicul. Flacc. p. 102, 1 Thulin; Norden, Germ. Urgeschichte 329.

[46] Livy 33, 12, 7 . . . Romanos praeter vetustissimum morem victis parcendi praecipuum clementiae documentum dedisse pace Hannibali et Carthaginiensibus data . . . ; cf. Gelzer, Herm. 68, 1933, 137; 164.

[47] Cf. Cic. off. 1, 35.

[48] The evidence is collected by H. Fuchs, Basler Ztschr. f. Gesch. u. Altertumskde 42, 1943, 43 ff.; e.g. the late term, victrix clementia (Rutil. Namat. 1, 69), could have been coined earlier; see now also Wickert, RE 22, 2234 ff. (with bibliography).

tenere praeter unum L. Sullam, quem imitaturus non sum. haec nova sit ratio vincendi, ut misericordia et liberalitate nos muniamus." [49] The expression victoria uti, borrowed from military terminology,[50] denotes here for the first time a political program [51] as do the other words victoriam tenere and nova ratio vincendi. It was not the principle that was new but its application to fellow citizens. Caesar himself gave greater precision to it later by stressing besides the Victoria Caesaris the Clementia Caesaris.[52] Augustus made it again more universal than personal by creating what Gagé called, perhaps a little boldly, the "theology of the imperial victory." [53] The Victoria Augusta did not represent a single victory or simply victory, but the victorious Roman empire and all that it was able to offer within its borders, security, clemency, peace, happiness.

5. *Scipio Invictus and his Successors.*

At least three statues of Nike-Victoria reached Rome during the second Punic war. Hieron of Syracuse sent a golden statue in 216, the second was brought in 209 after the conquest of Tarentum; the third represented Victoria on a biga.[54] The Romans may not have seen in them more than symbols of the final victory. We can say more about the general who achieved that victory, Scipio Africanus, the Elder: [55] he did not choose to

[49] Cic. Att. 9, 7C, 1; cf. M. Treu, Mus. Helv. 5, 1948, 204 ff.

[50] Caes. b. c. 3, 83, 4; Sall. Iug. 38, 8; Treu 204 compares victoriam exercere; early expressions are victoriam parere, adipisci, consequi, referre, reportare: Treu 207, 1.

[51] Livy ascribes the following words to Maharbal after Cannae: vincere scis, Hannibal, victoria uti nescis (22, 51, 4). For the wrong way see Sall. Iug. 42, 4 igitur ea victoria nobilitas sua usa multos mortalis ferro aut fuga extinxit plusque in relicuom sibi timoris quam potentiae addidit; Cat. 38, 4 utrique victoriam crudeliter exercebant.

[52] Plut. Caes. 48, 4 (after Pharsalus) *τοῖς δὲ φίλοις εἰς Ῥώμην ἔγραφεν, ὅτι τῆς νίκης ἀπολαύοι τοῦτο μέγιστον καὶ ἥδιστον, τὸ σῴζειν τινὰς ἀεὶ τῶν πεπολεμηκότων πολιτῶν αὐτῷ*. Cic. fam. 15, 15, 2 (July 47) . . . eandem clementiam experta esset Africa, quam cognovit Asia, quam etiam Achaia . . . ; App. b. c. 2, 89, 373.

[53] Gagé, Rev. hist. 171, 1933, 1 ff.

[54] Livy 22, 37, 5; 10 ff.; Val. Max. 4, 8 ext. 1; Bulle, Myth. Lex. 3, 314; 353; Tac. hist. 1, 86; Plut. Otho 4, 8.

[55] Before Scipio, only M. Claudius Marcellus could be mentioned on account of his victory over the Insubri in 222 B.C., cf. Verg. Aen. 6, 856 . . . victorque viros supereminet omnis . . . ; 859 tertiaque arma patri suspendet capta Quirino: but Vergil's testimony alone is not sufficient.

be victor on this account but invictus.[56] Ennius wrote a special poem 'Scipio' in which he called him 'Scipio invicte,'[57] and we know that there was a statue of his inscribed with the name of the 'invincible general.'[58] This statue was not in Rome but its prototype may have been there: according to Livy he wanted one erected in the Comitium, in the Curia, and even in the temple of Iuppiter Capitolinus.[59] Then there is the incident of his trial in 187 B.C. Appearing before the tribune he declared that it was due to his victory at Zama that Rome existed at all, and moreover that the day was the anniversary of that victory, and therefore he would leave and offer his thanksgivings to the gods.[60] The first part would make him in the Seleucid terminology a Soter, the second a Nikator, Victor. We know that Scipio was recognized by his contemporaries as the founder of the Roman mastery of the world.[61] The Greek historians treated his life and achievements as the manifestation of a new Alexander.[62] The Romans followed for a while but soon discovered that there was in Rome at that age no room for a new Alexander, and certainly not for a divinized one.

For some time to come this line was broken. But there were other possibilities, e.g. in good Roman tradition to offer thanks to the gods. Many generals of the third and second century

[56] Cf. Costa, Religione e politica nell'Impero romano 65 f.; Sauter, Der röm. Kaiserkult bei Martial u. Statius 1934, 155 ff.; Berlinger, Beiträge zur inoffiziellen Titulatur d. röm. Kaiser, Breslau 1935, 20 ff.

[57] Enn. V. 3 V.; cf. Plaut. Mil. 57 (of a general) virtute et forma et factis invictissimum; Alexander is mentioned in Most. 775.

[58] Cic. Verr. 4, 82 basis P. Scipionis restituatur, nomenque invicti imperatoris incidatur.

[59] Enn. V. 1 f. V. quantam statuam faciet populus Romanus,/quantam columnam quae res tuas loquatur? Livy 38, 56, 12 castigatum enim quondam ab eo populum ait, quod eum perpetuum consulem et dictatorem vellet facere (= frg. V. 4 V.), prohibuisse statuas sibi in comitio in rostris in curia in Capitolio in cella Iovis poni.

[60] Gell. 4, 18, 3; Livy 38, 51, 7; App. Syr. 40, 208. The speech is mentioned by Polyb. 23, 14 and seems thus trustworthy; the celebration of the anniversary, however, may be a later addition. Scipio visited the temples as he did on the day of his triumph, cf. Suet. Tib. 17, 2 unde populo consalutato circum templa deductus est.

[61] Suet. Caes. 59 refers to vaticinationes, quibus felix et invictum in ea provincia (= Africa) fataliter Scipionum nomen ferebatur; cf. Flor. 1, 31, 12.

[62] Cf. e.g. Ed. Meyer, Kleine Schriften 2, 433 ff.; Heuss, Antike u. Abendland 4, 1954, 80.

turned to Hercules for help and expressed their gratitude by dedications, etc., M. Minucius Rufus, T. Quinctius Flamininus, M' Acilius Glabrio, M. Fulvius Nobilior, L. Aemilius Paullus.[63] The inscription of L. Mummius of 142 B.C. deserves special mention: it records that after the conquest of Achaea and the destruction of Corinth he dedicated a temple and a statue of Hercules Victor (on the mons Caelius) in Rome which he vowed during the war.[64] It was the memorial of a great achievement, and Mummius is one of the heroes mentioned by Vergil, Aen. 6, 836 "ille triumphata Capitolia ad alta Corintho/victor aget currum." Why did he choose Hercules Victor? There were three temples of Hercules Victor in Rome and two of Hercules Invictus, to none of which it is possible to give an early date. The cult at the Ara Maxima was, it is true, much earlier: even if it did not date from the time of Euander it was a private cult of the Potitii and Pinarii before it was taken over by the Roman State in 312.[65] But this Hercules was never called Victor or Invictus although shrines of both were in the neighborhood.[66] This is not a chance or a gap in our tradition but indicates the fact that this cult belongs to the other Hercules whom we know so well, the Hercules of the merchants, wayfarers, etc., who was never completely displaced by the new Hercules of war and victory. This new Hercules may have arrived sometime in the third century together with the other gods of victory. Of the epithets I would connect Invictus with the story of Alexander, Victor with the Seleucid titles Nikator, Kallinikos, Nikephoros. By this identification I do not mean to say that the Romans were always conscious of the historical context from which this Hercules emerged but I do mean that they were aware of the new over-powerful Heracles (as they were in another context of a new Dionysus) whose protection an ambitious general would want to receive.

[63] Cf. W. Derichs, Herakles, Vorbild des Herrschers in d. Antike, Diss. Köln 1950, 26 ff.

[64] Dessau 20; A. M. Colini, Mem. Pont. Accad. 7, 1944, 41.

[65] For the evidence see Wissowa, Religion 274; Bayet, Les origines de l'Hercule romain 241 ff.

[66] Platner-Ashby s.v.; H. Lyngby, Beiträge zur Topographie des Forum Boarium Gebietes in Rom 1954, 24 ff.; 49 ff.

### 6. *From the Victoria of Marius and Sulla to the Venus Victrix of Pompey.*

It is the political struggle of the first century that brought the claims for victory and invincibility to full development. The claims of Marius [67] rested above all on his victory over the Cimbri and Teutones. As victor he built a temple to Honos and Virtus; [68] he posed as a Neos Dionysos [69] which is the Ptolemaic version of the claim to the mastery of the world in succession to Alexander; he erected his statue on the Capitol between two golden Victoriae; [70] he erected or caused C. Marcius Censorinus to erect a statue of Victoria on the Palatine; [71] he erected statues of Victoria in many places, if it is right to assume that the Victoria Mariana at Mutina [72] was not the only example of its kind; he probably introduced Victoria as one of the gods of the army whose image was carried on the standards.[73]

But it was Sulla who won in the end. To celebrate his success concerning Iugurtha, king Bocchus of Numidia sent two golden statues of Victoria to Rome which were placed on the Capitol.[74] It is not known whether his pair was there first or that of Marius which he later destroyed but which Caesar re-erected in 65. [75]

[67] Diod. 35, frg. 38, 2 Dd. *καὶ συνέβαινε κατὰ τὸ πλεῖστον ἐν μὲν ταῖς τῶν ἄλλων ἡγεμονίαις Ῥωμαίους ἡττᾶσθαι, κατὰ δὲ τὰς τοῦ Μαρίου παρουσίας ἀεὶ νικᾶν.*

[68] CIL $1^2$, p. 195 XVIII 11 = Dessau 59.

[69] Val. Max. 3, 6, 6 post Iugurthinum Cimbricumque et Teutonicum triumphum cantharo semper potavit, quod Liber pater Indicum ex Asia deducens triumphum hoc usus poculi genere ferebatur, ut inter ipsum haustum vini victoriae eius suas victorias conpararet; Pliny n.h. 33, 150; cf. Plaut. Pseud. 1051 ite hac, triumphe, ad cantharum recta via; on Caracalla's using Alexander's drinking vessels see Cass. Dio 77, 7, 1. Marius attempted to attend the senate in triumphal costume in 104 B.C.: Livy Per. 67; Plut. Mar. 12, 7; Weynand, RE Suppl. 6, 1383; Passerini, Athen. 17, 1939, 59.

[70] Val. Max. 6, 6, 14; Suet. Caes. 11; Plut. Caes. 6, 1; Vell. 2, 43, 4.

[71] CIL $1^2$, 805 [Vict]oriai/ . . . cius C.f./ [p]r.s.c.d.d.: the supplement Marcius was suggested by Bianchini. Another inscription was found in the same place, CIL 6, 31060 [Imp. C]aes. Divi f. [aedem Vi]ctoria[e refecit], which proves that the dedication belonged to the temple of Victoria. The statue of Victoria appears on the coins of Marcius Censorinus, Grueber 1, 305 f.; cf. Münzer, RE 14, 1550 f.

[72] Obsequens 70.

[73] Cf. Domaszewski, Religion d. röm. Heeres 4; 118; L'Orange, Der spätant. Bildschmuck d. Constantinbogens 55 ff.; 126 ff.; pl. 3a; 29c; 30a; id., Symb. Osl. 14, 108.

[74] Plut. Sulla 6, 1; Mar. 32, 4.

[75] See above n. 70.

His victories were predicted by oracles [76] and by the haruspices,[77] announced by prodigies.[78] He erected a trophy at Chaeronea for Mars, Victoria, and Venus [79] and sent a golden crown and an axe to Aphrodite of Aphrodisias in Caria who fought in his battles in armor — as he once learned in a dream; [80] and he represented Venus and the trophies given by her on his coins.[81]

Finally he instituted annual games to commemorate his victory at the Porta Collina, 1 November 82. This was an innovation: we know of no earlier games of this kind although it seems to have been argued at that time that the ludi Apollinares of 212 B.C. were instituted "victoriae, non valetudinis ergo." [82] A comparable piece of evidence comes from Oropus where Sulla created a festival to commemorate his victory in 86 B.C.: . . . *ὑπὲρ τῆς νίκης καὶ τῆς ἡγεμονίας τοῦ δήμου τῶν Ῥωμαίων* . . .[83] We are accustomed to call the games in accordance with some evidence ludi Victoriae Sullanae [84] but Mommsen observed that they were called by Cicero in 70 and on a coin c. 60 B.C. just ludi Victoriae: [85] Sullae or Sullanae must have been added later, at the latest when the Victoria Caesaris emerged. This Victoria no longer stood for a victory but for the concept of victory described above as Sulla understood it. For the inhabitants of Oropus the festival commemorated the Roman rule: for the Romans the rule of Sulla which Sallust called dominatio and with which Caesar contrasted his clemency. This is all that can be inferred from

[76] Plut. Sulla 17; Aug. CD 2, 24.

[77] Aug. CD 2, 24; Plut. Sulla 27, 6 ff.

[78] Plut. Sulla 11, 1.

[79] Plut. Sulla 19, 9; a dedication to Mars at Sicyon, Année épigr. 1939, 43.

[80] App. b.c. 1, 97, 455.

[81] Grueber 2, 459 ff.; Sydenham 124; Mattingly-Robinson, The Date of the Roman Denarius 34.

[82] Livy 25, 12, 15; cf. Macrob. Sat. 1, 17, 25 ff.; Münzer, RE 14, 1541; Gagé, Apollon romain 280 ff. Host. frg. 4 M Invictus Apollo is worth noting as it occurs only here, and Apollo is never called *Ἀνίκητος*.

[83] S. C. de Oropiis, Syll. 747 (Bruns 42; Riccobono 36).

[84] Vell. 2, 27, 6 felicitatem diei . . . Sulla perpetua ludorum circensium honoravit memoria, qui sub eius nomine Sullanae Victoriae celebrantur.

[85] Mommsen, Gesch. d. röm. Münzwesens 625, 464 Sex. Non(ius) pr(aetor) l(udos) V(ictoriae) p(rimus) f(ecit), i.e. in 81 B.C. (Grueber 1, 470 f.; Sydenham 146); Cic. Verr. 1, 31 with Ps.-Ascon. p. 217 St.; Fast. Maff.: lud(i) Vict(oriae), but Fast. Arv. and Sab.: ludi Victoriae Sull(ae) or Sull(anae); Latte, Myth. Lex. 6, 297.

the fact that Sulla dedicated his new festival to Victoria. But we can approach the problem from another side as well.

Sulla's protecting goddess was not Victoria but Venus, the ancestress of the Romans, the "Aeneadum genetrix." He built her a temple, called her as he called himself Felix, and adopted in Greece the theophoric name Epaphroditus; [86] he honored her, as we have seen, also in other form. Why did he then institute the games in honor of Victoria instead of Venus? The answer may be found in the close but rather puzzling relation between Venus and Victoria to which again Mommsen had drawn attention.[87] This relation began earlier but we can follow its history only after Sulla. What had become of his Venus Felix and Victoria in the following generation? 1) There was a shrine of Venus Victrix and Fausta Felicitas of unknown date on the Capitol: [88] the epithet Fausta suggests that it was founded by Sulla's family (rather than by Sulla himself). 2) Pompey built a shrine in his theatre for Venus Victrix and Felicitas: Tiro calls it a temple of Victoria which is not necessarily a mistake.[89] 3) Caesar's password at Pharsalus was Venus Victrix, at Thapsus Felicitas: [90] on the other hand there was a cult of Victoria et Felicitas Caesaris at Ameria,[91] a cult of Victoria Caesaris at Ancona,[92] and the

[86] Cf. JRS 45, 1955, 187 and in greater detail Balsdon, JRS 41, 1951 ff.; for a different interpretation see R. Schilling, La religion romaine de Vénus 278 ff.

[87] Mommsen, CIL $1^2$, p. 322 f.; cf. Wissowa, Religion 292; id., Myth. Lex. 6, 192 ff.; Gagé, Rev. hist. 171, 1933, 6. For instance, Vahlen refers Enn. Sc. 51 volans de caelo cum corona et taeniis either to Victoria or Venus; he lets 52 is habet coronam vitulans victoria follow immediately and compares A.53 te . . . precor . . . Venus . . . , ut me de caelo visas. It was observed that Nike-Victoria in art is often just the winged Aphrodite, cf. Bulle, Myth. Lex. 3, 356: this may have contributed much to the identification but was certainly not the reason for it.

[88] Fast. Amit. 9 Oct.; Wissowa, Religion 266, 6; Schilling 296 ff. (also for the following).

[89] Tiro ap. Gell. 10, 1, 7 cum Pompeius aedem Victoriae dedicaturus foret. . . ; cf. Fast. Allif., 12 Aug.: V.V.H.V.V. Felicita[ti in theatro Pompei], that is, Veneri Victrici Honori Virtuti (cf. Fast. Amit.), but the last V is puzzling. Mommsen 324 considers Valentia or Vesta and says: "Victoria admitti nequit, cum sit ipsa Venus Victrix." Another difficulty is caused by a prodigy of 32 B.C., Cass. Dio 50, 8, 3 . . . καὶ Νίκης ἄγαλμα ἀπὸ τῆς τοῦ θεάτρου σκήνης πεσεῖν . . . Wissowa, Ges. Abh. 25, 5 comments: ". . . num ad statuam Veneris Victricis pertineat, in obscuro est."

[90] App. b.c. 2, 68, 281; 76, 319, according to Serv. Aen. 7, 637 Venus Genetrix. Thapsus: b. Afr. 83, 1; at Munda Venus again: App. b.c. 2, 104, 430.

[91] Dessau 6631 f.; cf. Fink, Yale Class. St. 8, 94.

[92] CIL 9, 5904.

ludi Victoriae Caesaris in Rome.[93] 4) The temple which Caesar vowed for Venus Victrix at Pharsalus he dedicated to Venus Genetrix: [94] Mommsen assumes that the ludi Veneris Genetricis of 26 September [95] were identical with the ludi Victoriae Caesaris of 20–30 July [96] and ascribes the difference in date to Caesar's reform of the calendar in 46.[97] The chief reason for this identification is that the same games were attributed by one author to Venus, by another to Victoria.

There may be some confusion in this tradition but as a whole it does establish the relationship between the two goddesses. How is it to be explained? One is tempted to turn to etymology for help: Kretschmer suggested that Victoria was in its origin an old adjective belonging to victor,[98] to be supplemented by dea or virgo and thus identical with victrix, a divine companion of the victorious general: in this case Victoria could be an independent goddess and could easily become a new version of Venus. But this etymology implies that the noun victoria is later than the goddess and depends on her which is clearly impossible. I would therefore prefer Wackernagel's suggestion that there was an old noun victoria [99] and assume that the goddess is a personification and depends on this noun. But even if Victoria was always a noun it could have received a subordinate function just as did Nike in the temple of Athena Nike or whenever she was placed in the hand of Zeus, Athena, etc.; or, to put it in Roman terms, just as the Romans built two hundred years earlier a temple of Iuppiter Victor soon after they built one for Victoria. Now owing to Sulla, Pompey, and Caesar the victorious Venus emerged and added fresh individuality to Victoria because she was in this form

[93] Dessau 9349 and the evidence quoted below p. 227 f.; cf. also the ludi Victoriae Caesaris Augusti at Iguvium, Dessau 5531.

[94] It is therefore assumed that Venus Victrix and Venus Genetrix were identical: Mommsen 322 f.; Wissowa, Religion 292; Gagé, Rev. hist. 171, 1933, 6.

[95] Cass. Dio 43, 22, 3; 45, 6, 4; 49, 42, 1; Obs. 68 ludis Veneris Genetricis, quos pro collegio fecit (scil. Octavianus, 44 B.C.); Pliny n.h. 2, 93 cometes . . . apparuit ludis, quos faciebat Veneri Genetrici non multo post obitum patris Caesaris in collegio ab eo instituto; App. b.c. 3, 28, 107; Sen. NQ 7, 17, 2.

[96] Suet. Aug. 10, 1; cf. Cic. fam. 11, 28, 6 (44 B.C.) at ludos, quos Caesaris Victoriae Caesar adulescens fecit, curavi (scil. Matius).

[97] But see Gagé, Res gestae 175: "qui (the reform of the calendar) n'a pas cependant déplacé les autres anniversaires césariens."

[98] Kretschmer, Glotta 13, 1924, 105.

[99] Wackernagel, Festschr. f. Kretschmer 1926, 295 = Kleine Schriften 2, 1286.

winning the wars as the divine ancestress of the Romans. But this Venus did not absorb the old Victoria: it was the old Victoria that was worshipped in many places, e.g. in the Curia Iulia, perhaps because Augustus wanted to check this development. She was never called Venus or Victoria Caesaris but she was not called Victoria Augusta either.

What does follow from all this for our subject? The gods of Rome, above all Venus, provided Sulla with his luck to conquer the world and to defeat his Roman rivals. He ascribed his victories to the gods, not to himself. He did not call himself invictus and he did not want to become a new Alexander: when he achieved his 'victory' he resigned.

There is no need to quote evidence for Pompey's dream of becoming a new Alexander.[100] The war against Mithridates provided him with the opportunity, and when he defeated the king who had claimed for himself the succession of Alexander he was the real ruler of the world. He founded Nikopolis on the battlefield,[101] brought home Alexander's mantle, was more than ever called Magnus, and Cicero coined for him the terms "invictissimus civis" and "victor omnium gentium" [102] (which re-appeared on the coins of the later emperors) and was compared with Heracles and Dionysus,[103] etc. But he could not, or would not, do more than his predecessors did with regard to his own person. He built therefore a temple for Hercules Invictus, another for Venus Victrix, and probably a third for Minerva Victrix: this was more than anyone else ever did for the divinities of victory. The festival of Venus on August twelfth is recorded in the Calendars as follows: "Veneri Victrici Honori Virtuti Felicitati in theatro marmoreo," [104] that is, in the shrine Pompey built

[100] Cf. e.g. Pliny n.h. 7, 95; Syme, Roman Revolution 30; Gelzer, Pompeius 134 ff.; Balsdon, Historia 1, 1950, 298 f.; Heuss, Antike u. Abendland 4, 1954, 81 f.

[101] Cass. Dio 36, 50, 3; Oros. 6, 4, 7.

[102] Cic. Pis. 16; 34; cf. Plut. Cato min. 53, 3 . . . Πομπήιον . . . ἀήττητον γενόμενον . . . ; Alföldi, Studien über Caesars Monarchie (Bull. Soc. Roy. des Lettres de Lund 1952/3, 1) 1953, 33.

[103] Pliny n.h. 7, 95.

[104] CIL 1, p. 324; cf. Pliny n.h. 8, 20; Gell. 10, 1, 7; Tert. spect. 10; Plut. Pomp. 68; Porph. Hor. sat. 1, 2, 94; Wissowa, Myth. Lex. 6, 194. — Was Pompey the first to call Venus Victrix? She cannot be a translation of the Aphrodite Nikephoros of Pergamum (Wissowa, Religion 292, 2) because she was not worshipped there under this name (cf. E. Ohlemutz, Die Kulte u. Heiligtümer der Götter in

in his theatre. It was already stated above that Venus Victrix and Felicitas depend on Sulla's concept of Venus Felix and Victoria. Honos and Virtus remind us of Marius, but we can say no more. I need not comment on Hercules Invictus: [105] it is certainly no accident that Pompey called him not Victor but Invictus. Nor is it an accident that the day of his festival was identical with that of Venus Victrix etc., August twelfth.[106] The origin of Minerva Victrix is not clear [107]; she had a significant history in imperial times beginning with Domitian but does not add to our argument anything except that it increases Pompey's emphasis on victory.

### 7. *Victoria Caesaris and the Deus Invictus.*

Turning to Caesar I wish to state that my subject is just one of the many which may throw light on his political program. I propose to discuss the relevant evidence in two parts: one concerns the continuation of the religious propaganda of his predecessors, the other his own version of the theme 'Alexander.'

It is a curious feature of our subject that one general takes up a religious concept which was developed by another and carries

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Pergamon 1940, 226, 4; R. O. Fink, Yale Class. St. 8, 1941, 89, 41). There was an Aphrodite Nikephoros at Smyrna and Argos (cf. gr. Kruse, RE 17, 310) but was not so significant as to serve as model to the Romans. The fragment of an anonymous Palliata, 13 R. hui victrix Venus, videsne haec? may be earlier than Pompey but I doubt if it has any relevance to war and victory: it may e.g. refer to the judgment of Paris, cf. Lucian. dial. deor. 20, 16 (Aphrodite to Paris) . . . *Πρέποι γὰρ ἂν κἀμὲ νικηφόρον ὑμῖν συμπαρεῖναι.* . .

[105] Fast. Amit. and Allif. 12 Aug.: Herculi Invicto ad circum Maximum; Vitr. 3, 3, 5; Pliny n.h. 34, 57.

[106] See the preceding note. — Faustus Cornelius Sulla, son of the dictator and son-in-law of Pompey, placed in 54 B.C. Venus on some of his coins, Hercules on others, Grueber 1, 489 f.; Sydenham 145 f.

[107] The evidence is somewhat conjectural. As far as Pompey is concerned we only know that he erected a delubrum ex manubiis for Minerva (Pliny n.h. 7, 97). Coins of Domitian c. A.D. 81/2 show Minerva with helmet, Victoria in the right, spear in the left, a trophy on the right side, a shield on the left, that is, the type of the Athena Parthenos of Phidias. The legend Minerva Victrix first appears under Commodus in A.D. 188/9 (Mattingly, Coins 4, 736; 738; 820; 822; 824), but Mattingly 2, p. lxxxv is probably right in assuming that she was called so already under Domitian (accepted by Strack, Unters. z. röm. Reichsprägung 3, 31, 72; K. Scott, The Imperial Cult under the Flavians 177). A further conjecture would then be that the cult of Domitian was preceded by that of Pompey. There was besides the Athena Nike of Athens and elsewhere an Athena Nikephoros in Pergamum, see Ohlemutz 33 ff.; M. Segre in L. Robert's Hellenica 5, 1947, 114 ff.

it further. We have seen that in the struggle between Marius and Sulla the concept of victory was enlarged, and that Victoria and Venus, the bringer of felicitas, received prominence. We have seen also that Pompey inherited a little from Marius but far more from Sulla, and above all the cult of Venus Victrix and Felicitas. Now if we go on to Pharsalus we hear that the password of Caesar was Venus Victrix, that of Pompey Hercules Invictus.[108] We also hear that Caesar vowed a temple of Venus Victrix.[109] On the day of the battle the statue of Nike in the temple of Athena at Elis turned towards the door, and in the temple of Nike at Tralles where a statue of Caesar had been erected a tree of laurel shot up from the stone-pavement.[110] At Patavium the diviner C. Cornelius not only predicted the time of the battle but, consulting the signs again, exclaimed: *νικᾷς, ὦ Καῖσαρ*.[111] At Mytilene, on the request of Potamon, offerings were decreed i.e. to Roma Victrix to commemorate the victory.[112] Caesar reported his victory at Zela with the words: "veni, vidi, vici," which, inscribed on a tablet, were later carried in the triumphal procession.[113] His password at Thapsus was Felicitas, at Munda Venus again.[114]

Thus the religious propaganda set out to prove that nothing could hinder Caesar on his path to victory. It does not matter much that the Venus Victrix became at the end Venus Genetrix: [115] there was certainly no difference in the concept. Nor was the Felicitas of his adversaries neglected,[116] in spite of the fact (if it

[108] App. b.c. 2, 76, 319.

[109] App. b.c. 2, 68, 281.

[110] Caes. b.c. 3, 105, 2; 5; Plut. Caes. 47; Val. Max. 1, 6, 12; Obs. 65a; Cass. Dio 41, 61, 4.

[111] Plut. Caes. 47, 5; Obs. 65a; Cass. Dio 41, 61, 5.

[112] IG 12, 2, 25, 5 (IGR 4, 27) . . . *καὶ τᾷ Ῥώμᾳ τᾷ Νικοφό[ρῳ* . . . ; cf. 26, 16.

[113] Plut. Caes. 50, 3; Cass. Dio 42, 48, 2; Suet. Caes. 37, 2; cf. Cichorius, Röm. Stud. 245 ff. It was the variation of an old proverb (cf. Ter. Phorm. 103 imus, venimus, videmus; Otto, Sprichwörter d. Röm. 363) and was used again by the orator Servilius Tuscus in A.D. 34 in the trial against Mamercus Scaurus as a warning of the victory of the barbarians over Rome, Sen. Suas. 2, 22, 2.

[114] See above n. 90.

[115] App. b.c. 2, 102, 424; 3, 29, 107; Platner-Ashby 226. Venus is frequent on Caesar's coins, also Venus holding a Victoria, Grueber 1, 524 ff.; 543 ff.; S. L. Cesano, Rend. Pont. Accad. 23/4, 1950, 123 f.; 139 ff.

[116] Cic. ap. Amm. Marc. 21, 16, 13; b. Afr. 83, 1.

was a fact) that in his triumph over Thapsus his chariot had broken down just in front of another temple of Felicitas.[117] Caesar chose the site of the Curia Hostilia for his shrine, no doubt, intentionally. The Curia Hostilia was rebuilt by Sulla and probably inscribed with his name (and may have been connected with the shrine of his Venus Felix of which no trace is left); it was burnt down in 52 and rebuilt by Faustus Sulla.[118] Now it was destroyed to give place to the temple of Felicitas built by Lepidus on Caesar's behalf in 45 [119] and to the Curia Iulia which was begun under Caesar but completed only in 29: [120] here an altar and the statue of Victoria were erected. That the association was intentional is proven by the joint cult of the Victoria et Felicitas Caesaris outside Rome.[121]

The plan to build a temple for Mars [122] may have been the outcome of a similar development of which however little can be conjectured. Mars and Venus were connected since the Lectisternia of 217.[123] They had become the divine ancestors of the Romans, and it will be remembered that Sulla dedicated his trophy at Chaeronea to Mars, Venus, and Victoria (above p. 225). They appear together also in the Caesarian tradition,[124] and more often under Augustus,[125] e.g. coins of Augustus show a Venus which seems to have been associated with a statue of Mars.[126] Caesar may have intended to build the temple for Mars Victor or (less likely) Invictus which were epithets long established: Augustus dedicated it in 2 B.C. to Mars Ultor,[127] though the

[117] Cass. Dio 43, 21, 1.

[118] Cass. Dio 40, 49, 3; 50, 2 f.; Pliny n.h. 34, 26.

[119] Cass. Dio 44, 5, 2; Cic. Att. 13, 42, 3.

[120] See below p. 240.

[121] See above p. 227.

[122] Suet. Caes. 44, 1.

[123] Livy 22, 10, 9; Weinreich, Myth. Lex. 6, 803; C. Koch, Herm. 83, 1955, 36.

[124] Dittenberger, Syll.[3] 760 (48 B.C.); App. b.c. 2, 68, 281 (Pharsalus).

[125] Fer. Cum., 12 July (Dessau 108); relief from Carthage, L. R. Taylor, The Divinity of the Roman Emperor 203; CAH Plates 4, 136; Ovid. trist. 2, 295 f.; Wissowa, Myth. Lex. 6, 198 f.

[126] Mattingly, Coins 1, 98; Wissowa, Myth. Lex. 6, 199.

[127] It was vowed by Octavian in 42 to Mars Ultor (Suet. Aug. 29, 2), and a small shrine was built to him on the Capitol in 20 B.C. after the return of the standards (Cass. Dio 54, 8, 3). R. Schilling, Rev. phil. 68, 1942, 39 ff. speaks of a 'Mars-religion' inaugurated by Augustus at the expense of Hercules. But Mars and Hercules were not rivals, and if Hercules had become less popular it was

epithet had lost its relevance by then. For this Mars received the functions of a god of victors,[128] and the temple was dedicated on the first of August, the festival of Victoria.[129]

The other relevant events from 46 onwards may be discussed under the heading 'Caesar and Alexander.' [130] Of the earlier evidence it is enough to refer to the incident in Gades, 68 B.C., when the image of Alexander in the temple of Heracles led him to reflections about his own career: [131] it was the time when Pompey was the rising man in Rome.

1) In 46, after the victory at Thapsus, the senate decreed that his triumphal chariot and his statue mounted on a bronze globe and inscribed 'Divo Iulio' (which was later erased) should be placed on the Capitol.[132] There may be a (for us invisible) connection between the two items. We can see more clearly with regard to the second. Meyer compared Demetrius Poliorcetes who was represented mounted on a globe in a painting in Athens in 290 B.C. at his festival, the Demetria.[133] This comparison makes sense only if we assume that before Demetrius Alexander was already represented in this manner: Caesar could not have chosen to imitate Demetrius. Moreover the motif was not quite unknown in Rome. There were coins representing the Genius populi Romani wreathed by Victoria, or Roma standing or

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mainly because the epithet Invictus was discredited after the death of Caesar; Hercules Invictus in fact does not return until the age of Domitian and Trajan, see below n. 173.

[128] Suet. Aug. 29, 2 . . . quique victores redissent huc insignia triumphorum conferrent; Cass. Dio 55, 10, 2 ff.

[129] Cass. Dio 60, 5, 3; Vell. 2, 100, 2; Wissowa, Religion 146; Gagé, Res gestae 175.

[130] Cf. App. b.c. 2, 149–154; Meyer, Caesars Monarchie 472 ff.; Bruhl, Mél. d'archéol. et d'hist. 47, 1930, 207 f.; Syme, Roman Revolution 54; P. Treves, Il mito di Alessandro e la Roma d'Augusto 1953, 33 (with bibliography).

[131] Suet. Caes. 7, 1; Cass. Dio 37, 52, 2; cf. Gagé, REA 42, 1940, 425 ff.; id. Rev. hist. 205, 1951, 208 ff.

[132] Cass. Dio 43, 14, 6; 43, 21, 2. The two passages are contradictory: the first states that he stands on the globe, the second that the oecumene is at his feet which apparently means that one foot is on the globe. We have representations of both kinds, and I prefer the first. — Cf. the relief published by H. Fuhrmann, Mitt. d. Deutschen Archaeol. Inst. 2, 1949, 38; pl. 8 with Caesar, the globe, and the kneeling dea Roma (?); Alföldi, Studien über Caesars Monarchie 26 f.; pl. 16.

[133] Duris, FGrHist. 76 F 14 Jacoby; Meyer, Caesars Monarchie 385; Alföldi, Röm. Mitt. 50, 1935, 117 f. Schlachter, Der Globus 65 f. assumes that this is not a globe but a personification of the oecumene: rightly, I think, rejected by Vogt, Vom Reichsgedanken d. Römer 182.

seated, both with their foot on a globe.[134] And there was the statue of Victoria standing on a globe which had come from Tarentum in 209 B.C. and for which Caesar himself may have chosen the proper place: it was placed by Octavian in 29 in the Curia Iulia next the altar of Victoria.[135] So the statue decreed for Caesar must have represented him as the master of the world, not in a form created for the occasion but in the tradition initiated by Alexander. It does not matter that on this occasion he did not want a superhuman status and erased the offensive inscription.

2) About the same time or earlier Caesar set up his equestrian statue on the Forum Iulium. This was originally a statue of Alexander by Lysippus: he just substituted his head for that of Alexander.[136]

3) In the same year, 46, Cicero was pleading in front of Caesar for Marcellus. He appealed to his status as "unus invictus," to his clemency which was just part of his victory, a theme which is already familiar to us.[137] I would not mention this casual reference at all if the speech did not contain material which was further developed by Cicero in the following year in a significant context.

4) After the victory at Munda, 45, Caesar requested Cicero to address a letter to him, "epistula ad Caesarem." It was to be a *συμβουλευτικός* and to follow the example of Theopompus and Aristotle who had advised Alexander in this manner. Cicero refers to work on this document in his letters to Atticus in May 45[138] and mentions Alexander twice explicitly (12,40;13,28).

[134] Grueber 1, 405 f.; 511; Sydenham 130 f.; 159.

[135] Cass. Dio 51, 22, 1 f.; Suet. Aug. 100; Herodian. 5, 5, 7.

[136] Stat. Silv. 1, 1, 86; cf. Pliny n.h. 35, 4 statuarum capita permutantur. For a Roman version of the story see Pliny 8, 155; Suet. Caes. 61 ( . . . cum haruspices imperium orbis terrae domino pronuntiassent . . . ); Cass. Dio 37, 54, 2; W. H. Roscher, Ber. Sächs. Ges. 1891, 99 ff.; Platner-Ashby 226. The emperor Claudius substituted the head of Augustus for that of Alexander on a painting of Apelles on the Forum of Augustus, Pliny n.h. 35, 93; Bickel, Rhein. Mus. 97, 1954, 216; Matz, Festschr. f. Weickert 1955, 52.

[137] Cic. Marc. 12; the theme is repeated in Deiot. 33 f. (45 B.C.). The term reappears in Antony's funeral oration (App. b.c. 2, 145, 607 *μόνος ὅδε ἀήττητος ἐκ πάντων τῶν ἐς χεῖρας αὐτῷ συνελθόντων* . . . ) and in his biography (Nic. Damasc. 80, FGrHist. 90 F 130 Jacoby . . . *χειρώσεσθαι αὐτὸν ἀνίκητον παντάπασι δοκοῦντα εἶναι· δυσὶ γὰρ καὶ τριακοσίαις μάχαις ἐδόκει συμβαλὼν εἰς ἐκεῖνον τὸν χρόνον ἔν τε Ἀσίᾳ καὶ Εὐρώπῃ οὔποθ' ἡττῆσθαι*); Alföldi, Studien über Caesars Monarchie 33.

[138] Att. 12, 38, 5; 40, 2; 51, 2; 13, 7, 1; 26, 2; 27, 1; 28; cf. Meyer, Caesars

This work coincided with official decrees in honor of Caesar. When the news of the victory at Munda (17 March) reached Rome (20 April) the senate decreed that on the following day, the day of the Parilia, games should commemorate the victory,[139] and that his statue should be erected in the temple of Quirinus with the inscription 'Deo Invicto,'[140] that is the same inscription which Alexander's statue bore in Athens. The ludi were preceded, as usual, by a pompa in which the statue of Caesar was carried in the company of Romulus-Quirinus, the founder, and this was not usual.[141] It was not usual to carry the statue of a mortal in this procession, and if it is right to see in Alexander the model for the Invincible God it is right to make him responsible for this innovation as well. We know that Philip's statue, as the Thirteenth God, was carried in the procession of the Twelve Gods,[142] and we may guess that consequently Alexander too, the Invincible God,

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Monarchie 438 ff.; Gelzer, RE 7A, 1024 f.; J. Klass, Cicero u. Caesar, Diss. Giessen 1939, 199 ff. — Stob. 4, 212 ff. H.; 'Sall.' ep. ad Caes.; Sen. de clem., etc.: J. Klek, Symbuleutici qui dicitur sermonis historia critica (Rhet. Stud. 8), 1919; F. Wilhelm, Rhein. Mus. 72, 1917, 374 ff.; Köstermann, Philol. 87, 1932, 436 ff.; L. Delatte, Les traités de la royauté . . . 1942, 137 ff.; Pasoli, Riv. filol. 83, 1955, 337 ff.

[139] Cass. Dio 43, 42, 3 *τά τε Παρίλια ἱπποδρομίᾳ ἀθανάτῳ (?) οὔτι γε καὶ διὰ τὴν πόλιν, ὅτι ἐν αὐτοῖς ἔκτιστο, ἀλλὰ δὶα τὴν τοῦ Καίσαρος νίκην . . .* On the celebrations in 44 see 45, 6, 4; Cic. Att. 14, 14, 1; 14, 19, 3. Further his victories were declared public festivals, Cass. Dio 43, 44, 6 . . . *ἱερομηνίαν τε ἐξαίρετον ὁσάκις ἂν νίκη τέ τις συμβῇ καὶ θυσίαι ἐπ' αὐτῇ γίγνωνται.* App. b.c. 2, 106, 442; for the list see Wissowa, Religion 445 f. Two later decrees seem to belong to this complex. One, of 44, established a sacrifice in the name of Caesar on a special day of certain festivals of victory, Cass. Dio 45, 7, 2 *τόν τε γὰρ μῆνα Ἰούλιον ὁμοίως ἐκάλεσαν καὶ ἱερομηνίαις τισὶν ἐπινικίοις ἰδίαν ἡμέραν ἐπὶ τῷ ὀνόματι αὐτοῦ ἐβουθύτησαν*; cf. Piganiol, Recherches sur les jeux romains 123, 3. The other, of 42, prescribed that whenever a victory was reported a sacrifice should be offered on his behalf as well as on behalf of the particular victor, Cass. Dio 47, 18, 4.

[140] Cass. Dio 43, 45, 3 . . . *θεῷ ἀνικήτῳ* . . . P. L. Strack, Probleme der augusteischen Erneuerung 1938, 22 assumes that the inscription is not authentic because is not mentioned by Cicero: it either consisted only of the word 'Invicto,' or the above wording was suggested by the senate but not accepted by Caesar. Contra, J. Vogt, Studies presented to D. M. Robinson 2, 1141; the argument above does not seem favorable to Strack's conjectures.

[141] Cic. Att. 13, 28, 3 (quoted below in the text). No other evidence ascribes Romulus-Quirinus a share in the Parilia. The ritual of the Parilia did not include games and therefore the question of a procession of the gods did not arise. Consequently the procession headed by the statues of Romulus-Quirinus and Caesar must have been improvised on that occasion; this seems to follow also from the wording of Cass. Dio 43, 42, 3 (n. 139).

[142] Diod 16, 92; Nock, JHS 48, 1928, 22; Weinreich, Myth. Lex. 6, 787.

was carried,[143] and if he was, Caesar borrowed from him not only the inscription but also the ritual. Cicero referred to these events twice, first on May seventeenth, Att. 12, 45, 3 "de Caesare vicino scripseram ad te . . . eum synnaon Quirini malo quam Salutis," which is not a friendly reference. Yet he was still working on his document. But on May twenty-sixth he wrote (13, 28, 3): "quid? tu non vides ipsum illum Aristoteli discipulum summo ingenio, summa modestia, posteaquam rex appellatus sit, superbum, crudelem, immoderatum fuisse? quid? tu hunc de pompa Quirini contubernalem his nostris moderatis epistulis laetaturum putas? . . ." This Ciceronian evidence is important for what it contains: it confronts Alexander and Aristotle with Caesar and Cicero, and the arrogance of Alexander with the (implied) arrogance of Caesar who now assumed a place both in the procession and in the temple of Quirinus. But it also offers independent support for the story about the Invincible God which, as recorded only by Cassius Dio, was treated with suspicion. This suspicion is, I think, no longer justified since Nock compared the passage in Hyperides about Alexander. Nevertheless it is good to have Cicero's testimony that Caesar was in fact moving in that direction.

5) It was part of the decrees of 45 that his ivory statue (and later also his chariot?) should be carried in the procession of the gods at the ludi Victoriae Caesaris, preceded this time by the statue of Victoria.[144] We have seen above p. 225 that the origin

[143] There is a conflicting tradition according to which Demades made the proposal of 324 B.C. and wanted to make Alexander the Thirteenth, not the Invincible, God, Aelian. v.h. 5, 12 *ἐκκλησίας οὔσης Ἀθηναίοις παρελθὼν ὁ Δημάδης ἐψηφίσατο θεὸν τὸν Ἀλέξανδρον τρισκαιδέκατον.* Clem. Alex. Protor. 10, 96, 4; Lucian. dial. mort. 13, 2; Athen. 6, 251b; Val. Max. 7, 2, Ext. 13, etc.; cf. Weinreich, Lyk. Zwölfgötterreliefs, Sitz.-Ber. Heid. 1913, 5. Abh. 8; id., Myth. Lex. 6, 846; Nock 21 f.; Tarn, Alexander the Great 2, 363. According to Nock the confusion was caused because the statue of Philip, the Thirteenth God, was carried in a procession. I would therefore assume that there was just one proposal, by Demades (the text of Hyperides is not sufficiently clear concerning the role of Demosthenes), and that it was for the Invincible God. This assumption rests, besides the argument of Nock, on the two Roman decrees. Weinreich 846 on the other hand suggests that the Roman procession too was that of the Twelve Gods, Caesar being the Thirteenth. But the pompa circensis had nothing to do with the Twelve Gods, and on 21 April Caesar was carried in the company of Quirinus, on 20 July in that of Victoria: neither belonged to the Twelve.

[144] Cic. Att. 13, 44, 1. This is the starting point of a momentous development. Victoria began to lead processions under Augustus (Ovid am. 3, 2, 45 prima loco

of this Victoria lay with Sulla. At the time of Sulla's ludi Victoriae there was another procession in which the statue of Victoria was no doubt carried but that of Sulla was certainly not. The earlier decree created a place for Caesar in the procession, the present one made him there a neighbor of his Victoria.

The conclusion is that Caesar meant to succeed Alexander in the mastery of the world. He borrowed his equestrian statue, his symbolism, i.e. the globe, godhead with the epithet Invictus, share in the procession; and he employed Cicero to set up for him a political program worthy of a new Alexander. But this mastery of the world was to be erected on Roman foundations, i.e. on the prominence of Venus, Victoria, and Felicitas, and above all on the Roman theory of what victory implies. Romulus-Quirinus too must have had a considerable share in these speculations, not only because the political propaganda of the time ascribed to him acts and intentions of the kind Caesar intended to carry out,[145] but because Caesar's statue was carried together with that of Quirinus, and was placed in the temple of Quirinus.

There is no need to ask the question why Caesar wanted to become a successor of Alexander: every great conqueror, then and ever since, was by necessity following the path of Alexander. Nor need we search for the sources to which he owed the vocabulary and symbolism of a new Alexander: it may have been a problem for a Roman general in the third century but not in the first. But we must add a word about Pompey: Caesar defeated him also in this respect. If Pompey was the "invictissimus civis," Caesar wanted to become the "deus invictus." The title of "victor

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fertur passis Victoria pinnis), and the suggestion in the senate that she should even lead Augustus' funeral cortège (Suet. Aug. 100, 2) may belong to this context; and she then led numberless processions in the imperial period: for the evidence see Nock, JRS 37, 1947, 113 f. and HSCP 41, 1930, 18. This arrangement may have been inspired by processions (Greek in origin?) in which Nike-Victoria was the central figure, as in the case of Mithridates at Pergamum (Plut. Sulla 11, 1), or in the camp of Brutus in 42 B.C. (below p. 237 n 148); cf. also the celebrations of Q. Caecilius Metellus in Spain, 74 B.C., Sall. Hist. 2, 70 M.; Val. Max. 9, 1, 5; Plut. Sert. 22, 3.

[145] Cf. Dion. Hal. 2, 7 ff.; Pohlenz, Hermes 59, 1924, 157 ff. On the theme Romulus-Augustus see e.g. Gagé, Mél. d'archéol. et d'hist. 47, 1930, 1 ff.

omnium gentium" was applied to both, with the difference that Pompey failed when he reached Rome whereas Caesar succeeded even there. That is, he succeeded just for a while.

8. *Victoria Augusta.*

Augustus did not follow Caesar's example as completely as he did in most matters concerning religion. He did accept the new meaning of victory and stressed the cult of Victoria perhaps more than Caesar did. His victories too had become annual festivals, Mutina (43), Philippi (42), Naulochus (36), Actium (31), Alexandria (30).[146] The festival for Mutina seems to have replaced another in honor of D. Brutus; [147] the victory at Philippi was announced by a prodigy in the camp of M. Brutus where a statue of Victoria or a boy impersonating her fell down in a procession.[148] After Naulochus Octavian was honored with the right to wear always a laurel wreath, with a meal in the temple of Iuppiter Capitolinus, and with a statue.[149] Actium and Alexandria marked the beginning of a new era in the east.[150]

Actium was the turning point, and Augustus saw to it that this view was accepted by the public and was elaborated in literature

[146] Wissowa, Religion 446; the terminus ante quem must be 29 B.C. when it was decreed that the days on which the news of his victories was received should be festivals, Cass. Dio 51, 19, 2 *ἔν τε τοῖς γενεθλίοις αὐτοῦ καὶ ἐν τῇ τῆς ἀγγελίας τῆς νίκης ἡμέρᾳ ἱερομηνίαν εἶναι . . . ἔγνωσαν.*

[147] Cicero made an entry in the Fasti in honor of Brutus: ad Brut. 23 (1, 15), 8; fam. 11, 14, 3; Münzer, RE Suppl. 5, 370. On the entry concerning Octavian's victory in the Feriale Cumanum, 14 April (below p. 240), see Mommsen, Ges. Schr. 4, 263 f. with a discussion of the relevant evidence. It may be just coincidence that the preceding day, 13 April, was the festival of Iuppiter Victor on the Palatine. In the same year a temple of Iuppiter concerned with victory was hit by lightning, Cass. Dio 45, 17, 2 *κεραυνοί τε . . . ἐς τὸν νεὼν τὸν τῷ Διὶ τῷ Καπιτωλίῳ ἐν τῷ Νικαίῳ ὄντα κατέσκηψαν.* Unfortunately the passage is corrupt, Wissowa 123, 4.

[148] Plut. Brut. 39, 4; Cass. Dio 47, 40, 8; App. b.c. 4, 563; Obs. 70; Rossbach, Rhein. Mus. 52, 1897, 2.

[149] Cass. Dio 49, 15, 1 *. . . τό τε στεφάνῳ δαφνίνῳ ἀεὶ χρῆσθαι καὶ τὸ τῇ ἡμέρᾳ, ἐν ᾗ ἐνενικήκει, ἱερομηνίᾳ ἀιδίῳ οὔσῃ ἐν τοῦ Διὸς τοῦ Καπιτωλίου μετά τε τῆς γυναικὸς καὶ μετὰ τῶν παίδων ἑστιᾶσθαι ἔδωκαν.* App. b.c. 5, 130, 541 (36 B.C.) *ἐκ δὲ τῶν ἐψηφισμένων τιμῶν ἐδέχετο πομπήν, ἐτήσιόν τε ἱερομηνίαν εἶναι, καθ' ἃς ἡμέρας ἐνίκα . . .* Statue: App. b.c. 5, 130, 542. — On the first occasion of wearing a laurel wreath see above p. 216; on a similar decree for Caesar Cass. Dio 43, 43, 1; Suet. Caes. 45, 2; Meyer, Caesars Monarchie 445.

[150] The era of Actium was called on coins at Antioch on the Orontes *ἔτος Νίκης*: Head, HN 779.

and art.[151] It is enough to mention the prodigy before the battle, Octavian's meeting with a driver and his ass whose names were Eutychus and Nicon, that is Felix and Victor. This story seems to be a variation of another about Alexander,[152] and the new version may have been told about Caesar, if not already about Alexander; but it is also connected with the tradition initiated by Sulla. Then Octavian founded near the battlefield the city of Nicopolis[153] which reminds us of Alexander, Seleucus I, and Pompey. Vergil wrote about that time of the "victoris arma Quirini" with which he meant to decorate the Octavian temple of his phantasy, Horace referred to the deeds of "invictus Caesar," and others followed.[154] More relevant is what Augustus himself has to say about his own position, Mon. Anc. 3, 1 ". . . victorque omnibus veniam petentibus civibus peperci. (2) externas gentes, quibus tuto ignosci potuit, conservare quam excidere malui."[155] This is the old philosophy of victory which received fresh actuality through the Victoria and Clementia Caesaris.

Yet just at this point we notice that he went his own ways. On January thirteenth, 27 the senate decreed to plant a laurel tree in front of his house and to hang an oak crown over his door for being always victor over his enemies and for saving the citizens, as Cassius Dio puts it.[156] The Latin wording of the second part

[151] The evidence is discussed in great detail by Gagé, Mél. d'archéol. et d'hist. 53, 1936, 37–100; cf. also L. Hartmann, De pugna Actiaca a poetis Augusteae aetatis celebrata, Diss. Giessen 1913.

[152] Suet. Aug. 96, 2 apud Actium descendenti in aciem asellus cum asinario occurrit: homini Eutychus, bestiae Nicon erat nomen; utriusque simulacrum aeneum victor posuit in templo, in quod castrorum suorum locum vertit; Plut. Ant. 65, 5. On Alexander Val. Max. 7, 3, Ext. 1.

[153] Suet. Aug. 18, 2 quoque Actiacae victoriae memoria celebratior et in posterum esset, urbem Nicopolim apud Actium condidit ludosque illic quinquennales constituit et ampliato vetere Apollinis templo locum castrorum, quibus fuerat usus, exornatum navalibus spoliis Neptuno ac Marti consecravit.

[154] Verg. Georg. 3, 27; Hor. sat. 2, 1, 11; carm. 1, 6, 1; Ovid. trist. 5, 1, 41; Manil. 1, 925; Vitruv. praef. The victory was interpreted as the fulfillment of oracles which announced the coming ruler terra marique, cf. Hor. sat. 2, 5, 62; Norden, Verg. Aen. VI[3] 322; Prop. 4, 6, 39; Gagé 77 ff.

[155] Cf. Verg. Aen. 6, 853 with Norden's note; Hor. carm. saec. 51; Prop. 2, 16, 42; 3, 22, 21; Ovid. fast. 2, 143; am. 1, 2, 52; H. Fuchs, Augustin u. der ant. Friedensgedanke 204; id. Basler Ztschr. f. Gesch. u. Altertumskde 42, 1943, 43 ff.; Gelzer, Herm. 68, 1933, 137; 164; Dahlmann, Neue Jahrb. 1934, 17 ff.; Weber, Princeps 153.

[156] Cass. Dio 53, 16, 4 *καὶ γὰρ τό τε τὰς δάφνας πρὸ τῶν βασιλείων αὐτοῦ προτίθεσθαι καὶ τὸ τὸν στέφανον τὸν δρύινον ὑπὲρ αὐτῶν ἀρτᾶσθαι τότε οἱ ὡς καὶ ἀεὶ*

appears on his coins: "ob cives servatos." [157] But the first part 'semper' or 'ubique victori' is not found in any official document and does not appear on coins and inscriptions until the later emperors (below p. 243). This is a curious omission, especially when one realizes what happened before and what was going on in contemporary literature and art. We may then assume that here he acted in opposition to Caesar. This opposition becomes clearer in another incident. In A.D. 9 after quelling the rebellion in Pannonia Tiberius was to be honored with a cognomen, and the senate considered among others the title "Invictus": Augustus objected and said that the name Tiberius would receive after his death, Augustus, should be sufficient.[158] It will be remembered that "Invictus" was inscribed on the statue of Caesar. The conclusion is that Augustus did not want to become a second Alexander, human or divine,[159] although he was constantly compared with him which was inevitable.[160] But his praenomen was Imperator,

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τούς τε πολεμίους νικῶντι καὶ τοὺς πολίτας σῴζοντι ἐψηφίσθη; cf. 44, 4, 5; Mon. Anc. 34, 2 . . . laureis postes aedium mearum vestiti publice, coronaque civica super ianuam mea fixa est; v. Premerstein, Vom Werden u. Wesen d. Prinzipats 1937, 119; Alföldi, Mus. Helv. 9, 1952, 216; 232 ff.

[157] Mattingly, Coins 1, 66 f.; O. Th. Schulz, Rechtstitel u. Regierungsprogramme auf röm. Kaisermünzen 4 ff.; Oxé, Wien. Stud. 48, 1930, 44; Alföldi 233.

[158] Suet. Tib. 17, 2 censuerunt etiam quidam ut Pannonicus, alii ut Invictus, nonnulli ut Pius cognominaretur. sed de cognomine intercessit Augustus, eo contentum repromittens, quod se defuncto suscepturus esset. Augustus apparently opposed more Invictus than Pannonicus, see the honors decreed for the elder Drusus probably after his death, 9 B.C., Suet. Claud. 1, 3 senatus . . . decrevit et Germanici cognomen ipsi posterisque eius. At the end, Tiberius refused to have the praenomen Imperator and used the cognomen Augustus only in exceptional cases, Suet. Tib. 26, 2.

[159] The opposition is directed not only against Caesar but probably also against Antony. He too wanted to be a successor of Alexander and adopted for this reason the Ptolemaic symbolism of a Neos Dionysos. This is a different story from ours and need not be discussed here.

[160] It is enough to refer to the prophecy in Verg. Aen. 6, 791 ff. who depends, as shown by Norden, Rhein. Mus. 54, 1899, 466 ff. (cf. Aeneis VI[3] 322), on a Greek panegyric about Alexander; cf. Georg. 2, 170 f.; Kampers, Hist. Jahrb. 29, 1908, 241 ff.; Weber, Der Prophet u. sein Gott 78; 141 f.; Syme, The Roman Revolution 305; P. Treves, Il mito di Alessandro 33. The legend about his birth and the prophecy concerning the future mastery of the world (Suet. Aug. 94; Cass. Dio 45, 1) followed closely, as before in the case of Scipio Africanus, the legend of Alexander, cf. Norden, Die Geburt des Kindes 158; Weber 99. — Augustus used the image of Alexander as his seal for a while, later his own image (Pliny 37, 10; Suet. Aug. 50; H. M. L. Vollenweider, Mus. Helv. 12, 1955, 97): if he was led by symbolism in his choice he soon changed his mind.

and his cognomen was Augustus, and that he wanted to remain. And so he wanted his successors to be.

He supported instead the cult of Victoria: the mastery of the world was due to her, not to an invincible general. He carried on the festival of the Victoria Caesaris;[161] in 29, probably in accordance with the plans of Caesar, he placed the statue of Victoria in the just completed Curia Iulia.[162] Then the Victoria Augusta began to emerge; the terminus post quem is 27 B.C. and ante quem probably 13 B.C., the date of the Pax Augusta. She first appears in the Feriale Cumanum,[163] c. A.D. 3, in the entry belonging probably to April fourteenth: "[XVIII Kal. Mai. Eo die Caesar primum vicit. Suppli]catio Victoriae Augustae," and commemorating his victory at Mutina, 43 B.C. This Victoria Augusta and her relation the Victoria Augusti [164] end a development and mark the beginning of a new one (see above p. 000); [165] they were very popular in the following centuries [166] as long as the Roman empire existed.

[161] See the Calendars and e.g. CIL 6, 37836 (Dessau 9349) and the later institutions depending on this model, the ludi Victoriae Caesaris Augusti at Iguvium, CIL 11, 5820 (Dessau 5531), the ludi Victoriae Caesaris et Claudi, CIL 6, 37834.

[162] Fast. Maff., CIL $1^2$, p. 327; Herodian. 7, 11, 3 . . . *τὸν ἱδρυμένον βωμὸν τῆς Νίκης* . . . ; Cass. Dio 51, 22, 1 f. (on the statue); Bulle, Myth. Lex. 3, 354 f. She thus had become the goddess of the Curia (cf. Dessau 495 Victoriae sen. Rom.) and appears on coins on the pediment of the Curia, Mattingly, Coins 1, 103; Platner-Ashby 144; Lugli, Roma antica 1946, 132. The prayer and sacrifice offered since 12 B.C. to the deity in whose temple a meeting of the senate took place was offered in the Curia to Victoria, Herodian. 5, 5, 7; later she was included in those prayers even if the meeting took place elsewhere, SHA Prob. 12, 7. That is one of the reasons why the last pagan resistance centered around the altar of Victoria. — The clupeus aureus of 27 B.C. was deposited there: it is often represented on monuments and coins together with Victoria, Gagé, Mél. d'archéol. et d'hist. 49, 1932, 61 ff.; CAH Plates 4, 134a; Mattingly, Coins 1, 58; 61; 70; etc.

[163] CIL $1^2$, p. 229 = Dessau 108.

[164] Cf. Gagé 61 ff. On inscriptions Victoria Augusta is far more frequent: Thes. l. l. 2, 1401 f.

[165] Cf. Gagé, Rev. hist. 171, 1933, 1 ff. His predecessor, Graillot, Daremberg-Saglio 5, 839 ff. should not be forgotten and is to be consulted also for the invaluable presentation of the monumental, numismatic, and epigraphic evidence which is overwhelming.

[166] That this stressing of the role of Victoria was inaugurated by Augustus is confirmed by the fact that Vespasian, who closely followed Augustus' religious policy, gave prominence to Victoria, Pax, and other related abstract deities: for the evidence see K. Scott, The Imperial Cult under the Flavians 24 ff.

9. *Imperator Invictus and Victor: Trajan, Commodus, and the Age of Constantine.*

The veto of Augustus was respected under the Julio-Claudian dynasty without exception.[167] The emperors were associated to Victoria but none of them was called Victor or Invincible; if they wanted to play the role of a new Alexander they did it in different ways and had to face the hostility of the educated. Not even the gods with the epithets Victor and Invictus were prominent: they are never mentioned on the coins or inscriptions of this age. Even later they were not popular. We find Roma Victrix under Galba and Vitellius,[168] and then never again; Iuppiter Victor, Mars Victor, Venus Victrix, and Minerva Victrix sporadically under the emperors of the late first and of the second century. But to emperors they were not applied until Commodus. There is just one exception, Trajan — I do not count Domitian who was called again and again Invictus Caesar by his poets: [169] this was just flattery although strong flattery. We ought to say the same about Trajan seeing that Pliny addressed him as Invictus imperator: [170] but we know that there was more in that than meets the eye. The Arvals prayed in 101 for his safe and victorious return (. . . incolumem reducem victorem. . . ) among others to Iovis Victor, Mars Victor, Victoria, and Hercules Victor, which they never did for any other emperor.[171] In the East he was called on inscriptions Ἀνίκητος.[172] It is known that Trajan was

[167] It is not an exception that, under Tiberius, Livia was worshipped as Nikephoros in the temple of Athena Nikephoros at Cyzicus, IRR 4, 144; Nock, HSCP 41, 1930, 30.

[168] For this and for the following statements see Mattingly's indexes and the handbooks of Stevenson and Bernhart.

[169] Mart. 7, 6, 7 rursus io, magnos clamat tibi Roma triumphos/Invictusque tua, Caesar, in urbe sonas; 9, 1, 10; 9, 23, 6; Stat. Silv. 4, 7, 49 ille ut Invicti rapidum secutus/Caesaris fulmen . . . ; 4, 8, 61 si modo prona bonis Invicti Caesaris adsint/numina; cf. Sauter, Der röm. Kaiserkult bei Martial u. Statius 157 ff.; L. Berlinger, Beiträge z. inoffiziellen Titulatur der röm. Kaiser, Diss. Breslau 1935, 20 ff.; F. Christ, Die röm. Weltherrschaft in der ant. Dichtung 1938, 140 ff.

[170] Pliny Paneg. 8, 2 adlata erat ex Pannonia laurea id agentibus dis, ut invicti imperatoris exortum victoriae insigne decoraret (A.D. 97); cf. P. L. Strack, Untersuchungen zur röm. Reichsprägung 1, 90.

[171] Henzen, AFA 123 ff. They turned occasionally under Nero, Vitellius and Domitian to Iovis Victor or to Victoria, AFA 72; 85 ff.

[172] IGRR 4, 1333 (A.D. 102–117); 1738 (A.D. 110–111).

an admirer of Alexander's and meant to imitate him.[173] Yet this was just an interlude which had no lasting effect on his successors, and thus it was the exception which confirms the rule.

The change had come about with Commodus suddenly. In A.D. 191 he appropriated some cognomina, among these Invictus,[174] called the months after them, and February became Invictus.[175] This and the others he, the Hercules Romanus, borrowed from Heracles [176] — in this I would join those who do not believe in Mithraic influence and in an intentional rivalry to Sol Invictus.[177] It is for the first time that the eastern title of invincibility appears in the official nomenclature of a Roman emperor.[178] At the same time interest in Alexander came to a new life, and the succession of Alexander became again through Caracalla a popular political program.[179]

In the third century Invictus was one of the traditional epithets of the Roman emperors.[180] Not all of them were using it,

[173] Cf. e.g. Cass. Dio 68, 29, 1; 30, 1; Bruhl, Mél. d'archéol. et d'hist. 47, 1930, 213 f.; Heuss, Antike u. Abendland 4, 1954, 91 f. It is worth adding that after Trajan Hercules had become popular in art and on coins, see Strack 2, 88, f.; M. F. Squarciapino, Bull. comun. 73, 1949/50, 205 ff. — Domaszewski, Philol. 71, 320 ascribes Or. gr. 340 (Nicomedia) Ἡράκλιος Καλλίνεικος κτίστης τῆς πόλεως to Hadrian: I would prefer Commodus (rather than Trajan), but the question cannot be decided without an examination of the inscription.

[174] The inscription, CIL 14, 3449 (Dessau 400) Imp. Caes. L. Aelio Aurelio Commodo . . . pacatori orbis Felici Invicto Romano Herculi . . . dates from the following year; cf. Inscr. lat. d'Afr. 612 pro salute et incolumitate imp. Caesaris L. Aeli Aurel. Commodi Pii Invicti Herculis Romani . . . Invicto (i.e. Mithrae) posuit; Rostovtzeff, JRS 13, 98; Vogelstein, Kaiseridee u. Romidee 1930, 41, 2.

[175] Cass. Dio 72, 15, 3; SHA Comm. 11, 8; cf. K. Scott, Yale Class. Stud. 2, 238; Berlinger 21 f.; 56.

[176] Costa, Religione e politica nell'Impero romano 1923, 64; Scott 239; Ulrich, Pietas 76, 2; 81, 1.

[177] For oriental, esp. Mithraic influence Cumont, Textes et Monuments 1, 287 f.; id., Die Mysterien des Mithra[3] 88; Maurice, Numismatique Constantinienne 2, p. LXVIII; Gagé, Rev. hist. 171, 1933, 23; Berlinger 22; L'Orange, Symb. Osl. 14, 1935, 97, 1.

[178] The coins of Clodius Albinus, A.D. 196/7 show Hercules with the lion's skin etc. and with the legend Fortitudo Aug. Invicta (Mattingly, Coins 5, 70); Invicta Virtus appears on the coins of Septimius Severus and Caracalla (Mattingly 5, 219; 256); they are also called Invictus Imperator or together Imperatores Invicti Pii Aug. (Mattingly 5, 88; 94; 106; 205). The evidence of the inscriptions is similar. Examining Dessau's collection we find Septimius Severus called Invictus only once, together with Caracalla (4424), Caracalla alone already five times (2320; 3543; 4835; 5822; 5865a).

[179] Herodian. 4, 8, 1; Cass. Dio 77, 7, etc.; Heuss 99 ff.

[180] See the indexes in Dessau and Mattingly. It is more frequent on inscriptions than on coins.

and those who used it did not use it equally often.[181] This development was not favorable to Hercules Victor and Invictus who, Postumus excepted, did not appear on coins before the end of the century; [182] there is more evidence for Iuppiter Victor and Mars Victor.[183] And then there was another sudden change. Invictus as the title of the emperor was replaced by Victor, and more than that, it became for a while his praenomen, pushing aside the praenomen Imperator after three centuries. It would simplify the problem if we could say that it was Constantine who did it. But we find an inscription of A.D. 306/7 in Egypt dedicated to Galerius and Severus: "dd. nn. Victoribus Maximiano et Severo Imperatoribus. . . " (CIL 3,6633 = Dess. 657). Further Maxentius is called on coins c. 309–11 "victor omnium gentium," Maximinus and Licinius in 309–13 "ubique victores." [184] But Invictus was not displaced by this, not even under Constantine who was unquestionably the chief propagator of the new epithet. There are in Dessau's collection 17 Invictus-inscriptions of Constantine's against 12 Victors (plus two with Victoriosissimus).[185] On the other hand, neither title was official enough to have any prominence in the coinage. We meet Invictus occasionally [186] but not Victor, and the famous medallion commemorating the meeting of Milan has the legend: "Invictus Constantinus Max. Aug.[187] But the title Victor is supported by Constantine's personal usage.

[181] For instance Elagabal only once (5793): but he was the deus Invictus Sol Elagabal (473; 475; 2008; 9058).

[182] See Bernhart, Handbuch 181.

[183] Iuppiter Victor is frequent on coins of the third century until Diocletian, Tetricus I, Carausius, but not in the age of Constantine which prefers Iuppiter with other epithets. Mars Victor is equally frequent (Mars Invictus only under Pescenninus Niger and Aurelian), but occurs under Maxentius, Galerius, and Constantine only in 306/7 and then disappears entirely, Maurice, Numismatique Constantinienne 1, 188; 274; 2, 11.

[184] Maurice 1, 271; 275; 399; Alföldi, Röm. Mitt. 49, 1934, 100. Already Numerianus (Mattingly-Sydenham, Rom. Imp. Coinage 5, 2, 196), Maximianus Herculeus in 295 (5, 2, 270), and Constantius I in 295 (5, 2, 298) appear on their coins with a globe surmounted by Victoria, and sceptre, and the legend 'undique victores'.

[185] Cf. H. Dörries, Das Selbstzeugnis Kaiser Konstantins 216 ff. Karayannopulos, Historia, 5, 1956, 344. Victoriosus appears already under Aurelian, CIL 8, 10177; 10205; 10217; 20537; Instinsky, Hermes 77, 1942, 353.

[186] Cohen 7, 251; 264.

[187] Cf. Babelon, Mélanges Boissier 49 ff.; Maurice 2, p. LV; 237 ff. with illustration and discussion. A letter of Constantine's to Optatianus Porfyrius (p. 39 Kluge) begins: Invictus Constantinus Maximus Augustus . . .

His letters begin with: "Victor Constantinus Magnus Pius episcopis perque loca populis. . . ," [188] or Νικητὴς Κωνσταντῖνος Μέγιστος Σεβαστὸς ἐπαρχιώταις Παλαιστίνης . . . [189] or Νικητὴς Κωνσταντῖνος Σεβαστὸς Θεοδότῳ . . . [190] Finally he too was called "ubique victor" and "victor omnium gentium." [191]

There is just one explanation from antiquity for this change, that of Eusebius, who ascribes it to the vision of the cross in A.D. 312 before the battle at the Milvian Bridge, i.e. the cross appearing on the sky above the sun with the inscription: "hoc signo victor eris." [192] Modern scholars go even farther and see in the change an intentional opposition to, or even an attack on, the all powerful Sol Invictus,[193] or at least a humble sign of Constantine's conversion to Christianity [194] (or to a religion of

[188] Schwartz, Gött. Nachr. 1904, 388.

[189] Euseb. v. Const. 2, 24, 1; 46, 1; 48, 1; 64, 1.

[190] Schwartz 394. The epithet Victor is documented equally well. The old church of St. Peter bore the inscription, CLE 300 (ILCV 1752): Quod due te mundus surrexit in astra triumphans,/hanc Constantinus Victor tibi condidit aulam (cf. Dörries 214); CIL 3, 6159 (A.D. 320) Imp. Caes. Fl. Valerius Constantinus Victor Maximus Triumphator . . . ; 3, 7000 (Dessau 6091, A.D. 326/7) Imp. Caes. Constantinus Maximus Goth(icus) Victor ac Triumfator . . . ; 11, 5265 (Dessau 705, A.D. 333/7) Imp. Caes. Fl. Constantinus Max. Germ. Sarm. Got. Victor Triump. Aug. . . .

[191] Cohen 5, 294 f.; cf. 305; Maurice 1, 235; 412 ff.; cf. the dedication to Constantine, CIL 8, 2386 . . . semper et ubique victori . . . If this history of the terms is correct, the alleged inscription on the tombstone of Gordianus III cannot have been compiled before the age of Constantine, SHA Gord. III 34, 2 Gordiano sepulchrum milites apud Circesium castrum fecerunt in finibus Persidis, titulum huiusmodi addentes . . . (in Greek, Latin, Persian, Hebrew, Egyptian) . . . 3 'Divo Gordiano victori Persarum, victori Gothorum, victori Sarmatarum, depulsori Romanarum seditionum, victori Germanorum, sed non victori Philipporum' . . . The same applies to SHA Prob. 21, 4 (murdered 282) sepulchrum . . . milites fecerunt cum titulo huiusmodi inciso marmori: 'Hic Probus imperator et vere probus situs est, victor omnium gentium barbararum, victor etiam tyrannorum' . . . Here we can contrast the wording of a contemporary inscription, CIL 2,3738 (Dessau 597, A.D. 280) . . . omnium virtutum principi, vero Gothico veroque Germanico ac victoriarum omnium nominibus inlustri M. Aur. Probo P.F. Invict. Aug. . . . Again, the alleged edict of Hadrian against the Christians reveals its real date by its very beginning, Acta S. Terentiani 3 (Acta Sanctorum, Sept. 1 (1746) 113): Victor Adrianus Augustus inclitus triumphator . . . It is possible that the Christian martyrs too were called Victors more often after Constantine than before, see Rütten, Die Victorverehrung im christl. Altertum 1936, 27 ff.; Bickel, Rhein. Mus. 98, 1955, 253 ff.

[192] Euseb. v. Const. 2, 19, 2 ὁ δ'ἀρετῇ θεοσεβείας πάσῃ ἐμπρέπων νικητὴς βασιλεὺς (ταύτην γὰρ αὐτὸς αὐτῷ τὴν ἐπώνυμον κυριωτάτην ἐπηγορίαν εὕρατο τῆς ἐκ θεοῦ δεδομένης αὐτῷ κατὰ πάντων ἐχθρῶν τε καὶ πολεμίων νίκης ἕνεκα) . . .

[193] H. Dörries, Das Selbstzeugnis Kaiser Konstantins 282.

[194] Rütten 45; Alföldi, The Conversion of Constantine 59; Dörries 214.

his own) [195] by choosing instead of Invictus the less pretentious Victor. Now we must not confuse the struggle of Constantine with the struggle of the Church. Unquestionably the Church wanted to assert itself against Sol Invictus: it is enough to refer to the moving of the festival of Christ's birthday from January sixth to December twenty-fifth, the festival of the Natalis Invicti (Solis).[196] As to Constantine, however, it must be noted that the title Victor belongs to the pre-Constantinian period; that Constantine was called Invictus almost as often as Victor; that the Sun-god with the legend "Soli Invicto Comiti" appears on his coins long after the battle at the Milvian Bridge; [197] and that he kept on calling himself Invictus until the battle with Licinius in 323, whatever his motives.[198] I have no solution of this problem to offer but I should like to make a guess. We have seen that the title Invictus was adopted by Commodus, the Roman Hercules. Towards the end of the third century an emperor claiming divine protection for his person called himself Iovius,[199] another Herculius.[200] Strangely enough Iuppiter was never called officially Invictus but Victor [201]; and the Iovii without discarding entirely the title of the Herculii seem to have propagated the epithet of their own protecting god. But this is no more than a guess. Another guess would be that the praenomen Victor replaced Imperator for a while because the two were rival terms. Imperator

[195] Piganiol, L' empereur Constantin 1932, 146; 225; Gagé, Rev. hist. 171, 1933, 25.

[196] Cf. De solstitiis et aequinoctiis p. 105 Botte: sed et Invicti Natalem appellant. quis utique tam invictus nisi dominus noster, qui mortem subactam devicit? vel quod dicant Solis esse Natalem, ipse est Sol iustitiae, de quo Malachias propheta dixit . . . (cf. Dölger, Antike u. Christentum 6, 1950, 27). Eusebius refers in similar terms to Constantine's choice of the new title, e.g. Laudes Const. 5, 4 . . . *νικητὴς ἐτύμως ὁ τὴν νίκην τῶν καταπαλαιόντων θνητὸν γένος παθῶν ἀράμενος* . . . 7, 13 *νικητὴς ἀληθῶς*, etc.

[197] Maurice 1, 212 f.; 2, 399 ff., etc.; Nock, JRS 37, 1947, 108; P. Bruun, The Constantine Coinage of Arelate 1953, 58; 63 ff.

[198] Maurice 2, p. LXVIII; Usener, Das Weihnachtsfest[2] 364 suggests that he did that out of consideration for Licinius.

[199] Cf. e.g. Wissowa, Religion 94; Seston, Dioclétien et la tétrarchie 1, 211 ff.; Mattingly, HTR 45, 1952, 131 ff.

[200] Hercules is called Invictus under Diocletian, Postumus, Carausius, also under Maximian in 289; he is first called Victor in 291 on coins of Maximian (Mattingly-Sydenham 5, 2, 277), and this becomes popular between 305–12; he is not called again Invictus.

[201] Iuppiter Invictus is found in Hor. carm. 3, 27, 73; Ovid. fast. 5, 126; 6, 650; Sil. Ital. 12, 672; once on a coin of Septimius Severus, Mattingly 5, 112.

was in its origin an acclamation for the victorious general: [202] now it may have been felt first as a tautology to call an emperor at the same time Imperator and Victor. But I repeat that this again is a guess and probably not a good one.

Let us return for a moment to the gods. There is no need to follow up the history of Victoria: she was one of the most popular deities under the emperors, also under the invincible and victorious emperors. Her altar in the Curia Iulia was the place of the last pagan resistance in late antiquity. Another god, a non-Roman newcomer, Sol Invictus, deserves a brief mention. Is it right to say that Sol was called Invictus, and Helios Aniketos, because the Sun defeats darkness, and with it death, every morning? [203] The evidence for the epithet is late, later than Alexander, most of it very much later.[204] May it be that Helios too received his epithet from Alexander? Helios was not always a central figure in the universe. The astrology of Hellenism and astronomical investigation created in the third–second century B.C. the solar theology (investigated in a masterly fashion by Cumont) which made Helios among other things the all-powerful king in the universe.[205] And as such he could have received the epithet of the most powerful king on earth and become as Sol Invictus first the ally, then the rival of the invincible emperors of Rome.

10. *The New Problem.*

I am at the end. It seems to bring order into a confusing evidence if we assume that the cults of Victoria, Iuppiter Victor, Hercules Invictus, and the others were inspired ultimately by

[202] Mommsen, StR 1, 124 f.; Rosenberg, RE 9, 1140 f.

[203] Cumont, Astrology and Religion 105; 133.

[204] For Sol Invictus see e.g. Usener, Weihnachtsfest [2] 348 ff.; Cumont, Textes et Monuments 1, 47 ff.; L'Orange, Symb. Osl. 14, 1935, 89 ff.; on Helios Aniketos Weinreich, Athen. Mitt. 37, 1912, 29, 1. It is worth noting that the term deus invictus is applied besides Alexander and Caesar only to Sol and Mithras: see Dessau's Index, p. 545; Leglay, CRAI 1954, 273; also that the Mithraic cult image depends on a classical composition with Mithras taking the place of Nike, another expression of his invincibility, cf. Cumont, Textes et Monuments 1, 179 f.; Saxl, Mithras 11; F. W. Goethert, Arch. Jahrb. 51, 1936, 72 ff.; E. Will, Le relief cultuel gréco-romain 1955, 169 ff.

[205] Cumont, La théologie solaire du paganisme romain, Mémoires de l'Académie des Inscriptions 12, 2, 1909, 447 ff.; Nilsson, Opuscula selecta 2, 492 ff.; F. Matz, Der Gott auf dem Elefantenwagen, Akad. d. Wiss. Mainz 1952, 10. Abh. 738 (22)

Alexander; that invincible generals liked to place themselves under the protection of such gods; that Scipio, Marius, Sulla, Pompey, and Caesar added much to the momentum but not Augustus. Because of him the full circle was not completed until the late emperors who assumed the titles Invictus and Victor, titles of the rulers of the East but in Rome until then only epithets of the gods.

Do these conclusions invite dangerous speculations? They might, I regret to say. They imply that Alexander's fame was influential in Rome as early as 300 B.C. That would not be disturbing.[206] But if they also imply that this influence created then already the belief that now it was the turn of the Romans to rule "terra marique" — then we ought to stop for a while for further reflection. Not that the idea is as absurd as it seems. Some years ago Lycophron's prophecy to this effect was dated by Professor Momigliano again c. 270, the date of the only poet of this name of whom we know[207]; those who prefer a later date, c. 196 B.C., must do so without support in the tradition. But even if Momigliano is right I may be wrong if I go too far. Lycophron lived in Alexandria, and what he did was an assessment of the world outside Rome after the amazing experience of Pyrrhus in Italy. It does not follow that thirty years earlier the Romans themselves could have become aware of their future mission. It was the time of the long Samnite wars, and they were fighting for survival. It will be wiser to say no more than that the sudden worship of victorious and invincible gods was suggested by the earthquake in the east and was strengthened as the Romans gained self-confidence through their successes; that it opened up a new era, and that the Romans themselves did not yet really know where those gods would lead them.

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ff.; 753 (37) ff. — It is not impossible that the claim of the philosophers (cf. Stoic. vet. frg. Index s.v. *ἀήττητος*), and of the disciples of magic (e.g. CCAG 9, 2 Index s.v. *ἀνίκητος* and *ἀήττητος*) had ultimately the same origin.

[206] On the Roman contacts with the Greeks see e.g. W. Hoffmann, Rom u. die griech. Welt im 4. Jhdt. 1934, 17 ff.

[207] Lycophr. 1229; Momigliano, JRS 32, 1942, 57 ff. with bibliography; contra, Tarn, Alexander the Great 2, 28 f.; cf. also Lévéque, REA 57, 1955, 36 ff.

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